

# EXTENSIONS OF REMARKS

## HONORING THE 41ST PRESIDENT OF THE UNITED STATES

### HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. ROS-LEHTINEN. Mr. Speaker, I want to take this opportunity to honor a man of courage, of dignity, of character. A man who dedicated his life to God, family, and country. A man whose service to the country began in his teenage years as a pilot in World War II, continued during his tenure as CIA Director and Vice President, and climaxed with his election as the 41st President of the United States. I am speaking about George Herbert Walker Bush.

Yesterday, the library chronicling his life was dedicated. It stands as a tribute to his unwavering belief in the greatness of this country and his admiration of the American people. It is a monument to his compassion and humanity in difficult times, as well as his firmness and determination to do what is right even if it came at a personal cost. He is a gentleman in every sense of the world who put the interests of the country before his own.

On a personal note, I wish to thank him for the support and encouragement he gave me since the beginning of my career in Congress.

I thank him for his defense of democratic ideals and his commitment to freedom for the people of Cuba.

The American people and the world were well served by George Bush—a decent and honest man; a public servant; a husband, father, and grandfather.

I join the praises of all those who participated or attended the dedication ceremony, and extend my best wishes for the future. I hope that he will remain involved in the public arena and share his insight and experience with future generations.

Again, thank you, President Bush.

NATIONAL COUNCIL OF SENIOR  
CITIZENS: KYL AMENDMENT  
WOULD PUT ELDERLY AND DIS-  
ABLED CITIZENS AT SERIOUS FI-  
NANCIAL AND MEDICAL RISK

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. STARK. Mr. Speaker, following is a letter from the National Council of Senior Citizens spelling out why the Kyl-Archer amendment is bad for seniors and the disabled and for the Medicare Program.

I urge Members to oppose this amendment. As the public begins to understand what this amendment would do, they will overwhelmingly reject this proposal and the Members who vote for it.

NATIONAL COUNCIL OF SENIOR CITIZENS,

*Silver Spring, MD, October 30, 1997.*

DEAR SENATOR: The National Council of Senior Citizens strongly opposes any legislation which would reopen the Balanced Budget Act (BBA) for the purpose of limiting or repealing the two-year bar to any Medicare billings after a doctor enters a private payment contract with Medicare-eligible person. Passage of H.R. 2497, the Medicare Beneficiary Freedom to Contract Act of 1997, would decimate the Medicare program by removing cost protections while reducing the supply of doctors serving the needs of the overwhelming majority of Medicare users.

NCOA opposed, and continues to oppose, the inclusion of the original Kyl Amendment to the Medicare program. Such a provision, allowing a doctor to contract privately for medical care payments outside of the Medicare program, promises to shred three decades of essential quality, consumer, and financial protections which have been incorporated into Medicare.

As enacted, the Kyl Amendment did include the provision barring for two years other Medicare billings subsequent to an agreement for privately-paid Medicare-covered services. Clearly, this could inhibit widespread utilization of the private contract option by many doctors who have not heretofore, in large numbers, declined Medicare payments. Removal of this bar would open the Medicare program to opportunities for many doctors to coerce patients into giving up their Medicare protection in the name of "freedom to contract."

Fewer than 5% of all doctors decline to treat Medicare patients, and only 1% of Medicare beneficiaries have trouble finding doctors. The current doctor-patient Medicare market works well, with no shortage of physicians willing to accept Medicare payments. H.R. 2497 will allow doctors to legally pick and choose patient-by-patient, service-by-service, and dictate payment levels to vulnerable persons needing professional services. Instead of freedom, this would cripple Medicare's ability to hold down health care costs and would put elderly and disabled citizens at serious financial and medical risk.

We pledge every effort to defeat H.R. 2497 or any similar bill and to restore Medicare to its responsibility to cover the costs of an essential set of quality medical services provided by competent doctors and institutions on a uniform and universal basis.

Sincerely,

STEVE PROTULIS,  
*Executive Director.*

## HONORING THE LYNCHBURG FERRY

### HON. KEN BENTSEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. BENTSEN. Mr. Speaker, I rise today to honor the historic Lynchburg Ferry for 175 years of service to the residents of Harris County, TX.

The Lynchburg Ferry links East Harris County's bustling present with its historic past and continues to ease transportation for travel-

ers today. Local leaders, residents, and teachers and students from the Goose Creek Independent School District recently gathered in nearby David G. Burnet Park to celebrate 175 years of the ferry and share stories about the area as it was in days gone by. The event was organized to thank the people who have operated the ferry for so many years.

The Lynchburg Ferry is one of the Nation's oldest continually running, free-of-charge ferries, carrying thousands of cars each week near the confluence of the San Jacinto River and the Houston Ship Channel. Free service was begun by Harris County in 1890, and the Lynchburg Ferry remains Texas' only free, county-operated ferry.

The ferry operates in an area stepped in Texas history. Burnet Park, near the ferry landing, contains the remaining five acres of the original 279-acre homestead of David G. Burnet, the first provisional president of the Republic of Texas, who lived there from 1836-58. Burnet once competed with Sam Houston for prestige and power within the Republic of Texas and was a leader in the battle for independence. Also nearby was the home of Nathaniel Lynch, one of Stephen F. Austin's Old Three Hundred settlers. Lynch settled where Buffalo Bayou runs into the San Jacinto. In 1822 Lynch started a hand-pulled ferry that he thought would make his fortune and still bears his name today.

The Lynchburg Ferry played a role in one of the key events of Texas' drive for independence. It was here that settlers fled from the advancing Mexican Army under the command of General Santa Anna as he crossed the Brazos River in 1836. Tired after walking for days through heavy rains and battling a measles epidemic, these settlers took the ferry to safety and headed for Liberty and Beaumont. Shortly following the boatlift, the forces of Sam Houston defeated Santa Anna and the Mexican troops at the Battle of San Jacinto.

In 1936, a Houston school teacher bought the land surrounding the ferry in order to create a park in Burnet's honor. World War II put those plans on hold, and in the 1950's the land was given to Harris County, which created the park.

Mr. Speaker, I recognize the Lynchburg Ferry for 175 of service and for the important role it has played in Texas history.

## RESOLVING THE CREDIT UNION MEMBERSHIP CONTROVERSY

### HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. LaFALCE. Mr. Speaker, a year has passed since the U.S. District Court for the District of Columbia issued its order, on October 25, 1996, barring occupation-based credit unions from adding any new members from employer or trade groups that are not part of the core common-bond group in their original

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

charter. The ruling placed a cloud of uncertainty over the operations of nearly 3,600 credit unions that continues to this day.

The credit union case, *National Credit Union Administration versus First National Bank & Trust, et. al.*, is now before the Supreme Court with a decision expected sometime early next year. At issue in the case are conflicting interpretations of the definition of credit union membership in the 1934 Federal Credit Union Act. Since 1982 the credit unions have interpreted this definition as permitting them to incorporate multiple common-bond groups within their membership. The banks interpret the same provision as limiting credit union membership to the core common-bond group in a credit union's original charter.

While the difference between these interpretations may seem minimal from the outside, it is extremely important to credit unions, like many in my district in western New York, that have a core membership in companies that have downsized in recent years or that have tried to reach out in their community to serve residents and groups who otherwise might have limited access to financial services.

Like many of my colleagues, I strongly support credit unions and believe they play a significant and necessary role in meeting the banking and credit needs of a huge segment of our population. While I believe credit unions require new opportunities to grow and compete, I am sensitive to complaints that larger credit unions not be allowed to exceed their original charter and simply duplicate the role and services of banks.

The issue for public policy is now to balance the need for continued membership growth by credit unions with the need to assure that credit unions do not simply duplicate the role of banks or compete unfairly with other local financial institutions.

Unfortunately, it appears that few in Congress want to address this issue and prefer to let it be resolved by the Supreme Court. I disagree. It is Congress' responsibility, not the Court's, to update a depression-era statute to conform with today's market realities.

Over the past several months I have worked to develop a legislative proposal to effectuate the best public policy on this issue. I do not intend to introduce the proposal at this time. Instead, I wish to offer it as a vehicle for discussion and as a guideline for future action, if needed.

I do not presume that the approach I am proposing is necessarily the right or only answer to the membership controversy. It is certainly not an approach that either the credit unions or the banks are likely to welcome or support at this time. But either party that loses the court decision will certainly view this as an extremely reasonable proposal. And it is possible that the Court may deny standing in the current case, leaving all parties in the same position of uncertainty as a year ago.

I believe that now, before the Court acts, is the time to discuss policy options and to determine what makes good public policy. Waiting until after a decision will only harden the positions of both parties. I would encourage the credit unions and the banks to come together and consider options for resolving the issue in legislation rather than additional years of litigation. The approach I am outlining or somewhere close to it, could well be where we end up on the issue.

Mr. Speaker, I have inserted a copy of my proposal elsewhere in today's RECORD. I offer

it for the consideration of my colleagues as a beginning point for future discussion.

#### TRIBUTE TO THE SERVICE OF NEW JERSEY STATE SENATOR JOHN EWING

#### HON. MICHAEL PAPPAS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. PAPPAS. Mr. Speaker, I rise today to recognize New Jersey State Senator John H. Ewing. Senator Ewing has dedicated the last 31 years to representing the citizens of Somerset County and the surrounding area in many ways. Senator Ewing served 2 years on the Somerset County Board of Chosen Freeholders starting in 1966. In 1967 he successfully ran for a seat in the New Jersey General Assembly where he served for 10 years until he was elected to the New Jersey State Senate in 1977. While in the Senate he has served on the Joint Appropriations Committee and as chairman of the Senate Education Committee. His interest in the need to ensure a quality education for New Jersey's children is well known by educators and parents from all around the State.

Senator Ewing not only served his State, but served his country as well. He served in World War II, winning a Bronze Star for Valor. Because of the bravery of men like Jack Ewing the people of our Nation and many others around the world are free today. His wartime courage remains an extremely significant contribution to humanity because were it not for the men and women who risked life and limb during the Second World War, we might not have the freedom here to pay tribute to his legacy. I thank him for that service.

Senator Ewing is retiring from the New Jersey State Senate at the end of this year. He has served the people of central New Jersey very well. We will all miss his energetic and dedicated service. It is my hope that he and his wife Ally will have a long, happy, and healthy retirement. It is certainly well deserved.

#### A TRIBUTE TO LUKE MARANO, SR.

#### HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. FOGLIETTA. Mr. Speaker, I rise today to pay tribute to a great Philadelphian, Luke Marano, Sr., who will be honored this Sunday as the Philadelphia Committee of Boys Towns of Italy's 1997 Man of the Year. Mr. Marano is the chairman of the 83-year-old Philadelphia Macaroni Co., and has distinguished himself through his continued contributions to the community.

Since taking over the operations of the Philadelphia Macaroni Co. from his grandfather, who started the business back in 1914, Luke has taken a hands-on approach to making it a continued success. He knows how to run every machine in the plant, and has expanded operations three times since 1973. Producing nearly 100 million pounds of pasta per year, Philadelphia Macaroni is one of the

largest family enterprises in the U.S. pasta business today. Under Luke's direction, the company recently broke ground for a new durum flour mill in North Dakota. Indicative of his success in the industry, in 1992 Luke was named Pasta Man of the Year by the National Pasta Association.

But aside from his business successes and contributions to the Philadelphia business community, Luke Marano is compassionate and generous in his public life. When he is honored this Sunday, it will be for his generosity in aiding the cause of the Boys Towns of Italy. This worthy charity, founded after WWII by Monsignor Carroll-Abbing, provides food, clothing, and shelter to needy children throughout Italy, a cause Luke Marano has long been a supporter of.

Mr. Speaker, in light of his years of success in the pasta business, and his dedication to worthy causes such as the Boys Towns of Italy, I ask that my colleagues join me today in honoring a great American and fellow Philadelphian, Luke Marano, Sr.

#### HAPPY BIRTHDAY TO ETTA WEISS OSMAN

#### HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. VELÁZQUEZ. Mr. Speaker, I rise today to wish Etta Weiss Osman a very happy 85th birthday. Born Etta Weiss in Brooklyn on November 25, 1912, Etta is the youngest of six siblings. She married Haskel Osman on September 1, 1935, and they enjoyed 47 years of happiness together before Haskel's passing in 1982. Brooklyn's loss was Florida's gain when Etta and Haskel moved south in 1972, but we are fortunate that Etta still returns to Brooklyn for frequent visits.

Etta is blessed with a large, loving family—four children, eleven grandchildren and four great-grandchildren. On the occasion of her birthday, we would all do well to emulate Etta Weiss Osman, who continues to embody the proverb that happiness is not a destination, it is a method of life.

#### THE SILVER ANNIVERSARY OF TRESSLER ADOPTION SERVICES

#### HON. WILLIAM F. GOODLING

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. GOODLING. Mr. Speaker, for the past two and a half decades, Tressler Adoption Services has provided an invaluable service to the community by helping to place special needs children in the care of loving and caring families. The courage and conviction that they have devoted to helping these extraordinary children has not gone unnoticed and I applaud their efforts.

Tressler Adoption Services has given more than 2,500 children a second change in life. The priceless opportunities afforded to these special needs children may not have been realized had Tressler not been the stewards of their good fortune. Tressler should serve as a model for other communities, demonstrating

how best to care for the most vulnerable people in our society.

November is National Adoption Month, and I believe that our Nation must embrace, on a year-round basis, our less fortunate youths despite the shortcomings that life has dealt them. Under the leadership of Barbara Holtan, Tressler has soared in matching these youngsters, who otherwise may have languished in foster care with loving families and providing them with a home.

It is with regret that the business of the House has precluded me from attending the celebration of Tressler's silver anniversary on this day, November 9th. Nonetheless, my best wishes do go out to them.

On the 25th anniversary of the founding of Tressler Adoption Services, the community in south central Pennsylvania graciously thanks you and commends you on your years of good service. May many more productive years lie ahead.

## AMERICA DOESN'T LOVE ALL ITS CHILDREN

### HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 9, 1997

Mr. STARK. Mr. Speaker, "should the child of a poor American family have the same chance of avoiding preventable illness or of being cured from a given illness as does the child of a rich American family?"

That is the question.

That is the question brilliantly posed in the following essay by Uwe Reinhardt from the Journal of the American Medical Association's November 5 issue.

It is a profoundly moral and religious question.

America's answer to the question is, I am sad to say, no. Unlike other advanced industrial societies, America is saying no to millions of its children and their parents. In many ways, we really are not a nation or a society. We say we are, but we are practicing the social Darwinism of every man, woman, and child for himself.

We do not love all our children.

[From the Journal of the American Medical Association, Nov. 5, 1997]

WANTED: A CLEARLY ARTICULATED SOCIAL ETHIC FOR AMERICAN HEALTH CARE

(By Uwe Reinhardt)

Throughout the past 3 decades, Americans have been locked in a tenacious ideological debate whose essence can be distilled into the following pointed question: As a matter of national policy, and to the extent that a nation's health system can make it possible, should the child of a poor American family have the same chance of a avoiding preventable illness or of being cured from a given illness as does the child of a rich American family?

The "yeas" in all other industrialized nations had won that debate hands down decades ago, and these nations have worked hard to put in place health insurance and health care systems to match that predominant sentiment. In the United States, on the other hand, the "nays" so far have carried the day. As a matter of conscious national policy, the United States always has and still does openly countenance the practice of rationing health care for millions of Amer-

ican children by their parents' ability to procure health insurance for the family or, if the family is uninsured, by their parents' willingness and ability to pay for health care out of their own pocket or, if the family is unable to pay, by the parents' willingness and ability to procure charity care in their role as health care beggars.

At any moment, over 40 million Americans find themselves without health insurance coverage, among them some 10 million children younger than 18 years. All available evidence suggests that this number will grow.<sup>1</sup> America's policymaking elite has remained unfazed by these statistics, reciting the soothing mantra that "to be uninsured in these United States does not mean to be without care." There is, to be sure, some truth to the mantra. Critically ill, uninsured Americans of all ages usually receive adequate if untimely care under an informal, albeit unreliable, catastrophic health insurance program operated by hospitals and many physicians, largely on a voluntary basis. Under that informal program, hospitals and physicians effectively become insurance underwriters who provide succor to hard-stricken uninsured and who extract the premium for that insurance through higher charges to paying patients. The alarming prospect is that the more effective the techniques of "managed care" will be in controlling the flow of revenue to physicians and hospitals, the more difficult it will be to play this insurance scheme otherwise known as the "cost shift." It can be expected that, within the next decade, the growing number of the nation's uninsured will find themselves in increasingly dire straits.

But these straits have never been smooth for the uninsured, notwithstanding the soothing mantra cited earlier. Empirical research must have convinced policymakers long ago that our nation rations health care, health status, and life-years by ability to pay. It is known that other socioeconomic factors (such as income, family status, location, and so on) being equal, uninsured Americans receive, on average, only about 50% of the health services received by equally situated insured Americans.<sup>2</sup> This appears to be true even for the subgroup of adults whose health status is poor or only fair.<sup>3</sup> Studies have shown that uninsured Americans relying on the emergency departments of heavily crowded public hospitals experience very long waits before being seen by a physician, sometimes so long that they leave because they are too sick to wait any longer.<sup>4-6</sup> Studies have found that after careful statistical control for a host of socioeconomic and medical factors, uninsured Americans tend to die in hospitals from the same illness at up to triple the rate that is observed for equally situated insured Americans<sup>7</sup> and that, over the long run, uninsured Americans tend to die at an earlier age than do similarly situated insured Americans.<sup>8</sup> Indeed, before the managed care industry cut the fees paid physicians sufficiently to make fees paid by Medicaid look relatively attractive to physicians and hospitals, even patients insured by that program found it difficult to find access to timely care. In one study, in which research assistants approached private medical practices pretending to be Medicaid patients in need of care, 63% of them were denied access because the fees paid by Medicaid were then still paltry relative to the much higher fees from commercial insurers.<sup>9</sup>

If the champions of the uninsured believe that the assembly and dissemination of these statistics can move the nation's policymaking elite to embrace universal coverage, they may be in for a disappointment. The working majority of that elite not only are unperturbed by these statistics, but they be-

lieve that rationing by price and ability to pay actually serves a greater national purpose. In that belief they find ample support in the writing of distinguished American academics. Commenting critically on the State Children's Health Insurance Program enacted by Congress in August 1997 as part of its overall budget bill, for example, Richard Epstein author of the recently published *Mortal Peril: Our Inalienable Right to Health Care?*<sup>10</sup> warns darkly that the new federal plan "introduces large deadweight administrative costs, invites overuse of medical care and reduces parental incentives to prevent accidents or illness." Summing up, he concludes: "We could do better with less regulation and less subsidy. *Scarcity matters, even in health care*" (italics added).<sup>11</sup>

Clearly, the scarcity Epstein would like to matter in health care would impinge much more heavily on the poor than it would on members of his own economic class, as Epstein surely is aware. In his view, by the way, Epstein finds distinguished company in former University of Chicago colleague Milton Friedman, the widely celebrated Nobel laureate in economics, who had proposed in 1991 that for the sake of economic efficiency, Medicare and Medicaid be abolished altogether and every American family have merely a catastrophic health insurance policy with a deductible of \$20,000 per year or 30% of the previous 2 years' income, whichever is lower.<sup>12</sup> Certainly, Epstein and Friedman would be content to let price and family income ration the health care of American children. They rank prominently among the "nays."

In his book, Epstein frames the debate over the right to health care as a choice between the "maximization of social wealth" as a national objective and the "maximization of utility," by which he means human happiness. "Under wealth maximization," he writes, "individual preferences count only if they are backed by dollars. Preferences, however genuine, that are unmediated by wealth just do not count."<sup>10</sup> One implication of resource allocation with the objective of wealth maximization is that a physician visit to the healthy infant of a rich family is viewed as a more valuable activity than is a physician visit to the sick child of a poor family.<sup>13</sup> If one does not accept that relative valuation, then one does not favor wealth maximization as the binding social objective.

Although conceding that wealth maximization does imply a harsh algorithm for the allocation of scarce resources, Epstein nevertheless appears to embrace it, even for health care. Establishing positive legal rights to health care regardless of ability to pay, he argues, could well be counterproductive in the long run, because it detracts from the accumulation of wealth. "Allowing wealth to matter [in the allocation of health] is likely to do far better in the long run than any policy that insists on allocating health care without regard to ability to pay. To repeat, any effort to redistribute from rich to poor in the present generation necessarily entails the redistribution from the future to the present generation."<sup>13</sup> Applying his proposition to the question posed at the outset of this commentary, the argument seems to be that poor children in one generation can properly be left to suffer, so that all children of future generations may be made better off than they otherwise would have been.

One need not share Epstein's social ethic to agree with him that, over the long run, a nation that allocates resources generously to the unproductive frail, whether rich or poor, is likely to register a relatively slower growth of material wealth than does a nation that is more parsimonious vis-à-vis the

frail.<sup>10</sup> Nor does one need to share his social ethic to admire him for his courage to expose his conviction so boldly for open debate. Deep down, many members of this nation's policymaking elite, including many pundits who inspire that elite, and certainly a working majority of the Congress, share Epstein's view, although only rarely do they have the temerity to reveal their social ethic to public scrutiny. Although this school of thought may not hold a numerical majority in American society, they appear to hold powerful sway over the political process as it operates in this country.<sup>14</sup> In any event, they have for decades been able to preserve a status quo that keeps millions of American families uninsured, among them about 10 million children.

At the risk of violating the American taboo against class warfare, it is legitimate to observe that virtually everyone who shares Epstein's and Friedman's distributive ethic tends to be rather comfortably ensconced in the upper tiers of the nation's income distribution. Their prescriptions do not emanate from behind a Rawlsian<sup>15</sup> veil of ignorance concerning their own families' station in life. Furthermore, most well-to-do Americans who strongly oppose government-subsidized health insurance for low-income families and who see the need for rationing health care by price and ability to pay enjoy the full protection of government-subsidized, employer-provided, private health insurance that affords their families comprehensive coverage with out-of-pocket payments that are trivial relative to their own incomes and therefore spare their own families the pain of rationing altogether. The government subsidy in these policies flows from the regressive tax preference traditionally accorded employment-based health insurance in this country, whose premiums are paid out of pretax income.<sup>16</sup> This subsidy was estimated to have amounted to about \$70 billion in 1991, of which 26% accrued to high-income households with annual incomes over \$75,000.<sup>17</sup> The subsidy probably is closer to \$100 billion now—much more than it would cost for every uninsured American to afford the type of coverage enjoyed by insured Americans. In fairness it must be stated that at least some critics of government-financed health insurance—Epstein among them—argue against this tax preference as well.<sup>18</sup> But that untoward tax preference has widespread supporters among members of Congress of all political stripes, and also in the executive suites of corporate America.

This regressive tax preference would only be enlarged further under the medical savings accounts (MSAs) now favored by organized American medicine. Under that concept, families would purchase catastrophic health insurance policies with annual deductibles of \$3000 to \$5000 per family, and they would finance their deductible out of MSAs into which they could deposit \$3000 to \$5000 per year out of the family's pretax income. In terms of absolute, after-tax dollars, this construct effectively would make the out-of-pocket cost of a medical procedure much lower for high-income families (in high marginal tax brackets) than it would for low-income families. It is surely remarkable to see such steadfast support in the Congress for this subsidy for the well-to-do, in a nation that claims to lack the resources to afford every mother and child the peace of mind and the health benefits that come with universal health insurance, a privilege mothers and children in other countries have long taken for granted. Unwittingly, perhaps, by favoring this regressive scheme to finance health care, physicians take a distinct stand on the preferred distributive ethic for American health care. After all, can it be doubted that the MSA construct would lead to ra-

tioning children's health care by income class?

Typically, the opponents of universal health insurance cloak their sentiments in actuarial technicalities or in the mellifluous language of the standard economic theory of markets,<sup>18</sup> thereby avoiding a debate on ideology that truly might engage the public. It is time, after so many decades, that the rival factions in America's policymaking elite debate openly their distinct visions of a distributive ethic for health care in this country, so that the general public can decide by which of the rival elites it wishes to be ruled. A good start in that debate could be made by answering forthrightly the pointed question posed at the outset.

#### FOOTNOTES

<sup>1</sup>Thorpe KE. The Rising Number of Uninsured Workers: An Approaching Crisis in Health Care Financing. Washington, DC: The National Coalition on Health Care; September 1997.

<sup>2</sup>Behavioral Assumptions for Estimating the Effects of Health Care Proposals. Washington, DC: Congressional Budget Office; November 1993; Table 3: vii.

<sup>3</sup>Long SH, Marquis MS. Universal Health Insurance and Uninsured People: Effects on Use and Costs: Report to Congress. Washington, DC: Office of Technology Assessment and Congressional Research Service, Library of Congress; August 5, 1994; Figure 1:4.

<sup>4</sup>Kellerman AL. Too sick to wait. JAMA. 1991;266:1123-1124.

<sup>5</sup>Baker DW, Stevens CD, Brook RH. Patients who leave a public hospital emergency department without being seen by a physician. JAMA. 1991;266:1085-1090.

<sup>6</sup>Bindman AB, Grumbach K, Keane D, Rauch L, Luce JM. Consequences of queuing for care at a public hospital emergency department. JAMA. 1991;266:1091-1096.

<sup>7</sup>Hadley J, Steinberg EP, Feder J. Comparison of uninsured and privately insured hospital patients. JAMA. 1991;265:374-379.

<sup>8</sup>Franks P, Clancy CM, Gold MR. Health insurance and mortality: evidence from a national cohort. JAMA. 1993;270:737-741.

<sup>9</sup>The ultimate denial: rationing is a reality. Issue Scan: Q Rep Health Care Issues Trends From Searle. 1994;4(2):5.

<sup>10</sup>Epstein RA. Mortal Peril: Our Inalienable Right to Health Care? New York, NY: Addison-Wesley; 1997.

<sup>11</sup>Epstein RA. Letter to the editor. The New York Times. August 10, 1997:14.

<sup>12</sup>Friedman M. Gammon's law points to health care solution. The Wall Street Journal. November 12, 1991:A19.

<sup>13</sup>Reinhardt UE. Abstracting from distributional effects, this policy is efficient. In: Barer M, Getzen T, Stoddard G, eds. Health, Health Care, and Health Economics: Perspectives on Distribution. London, England: John Wiley & Sons Ltd; 1997: 1-53.

<sup>14</sup>Taylor H, Reinhardt UE. Does the system fit? Health Manage Q. 1991;13(3):2-10.

<sup>15</sup>Rawls J. A Theory of Justice. Cambridge, Mass: Harvard University Press; 1971.

<sup>16</sup>Reinhardt UE. Reorganizing the financial flows in American health care. Health Aff (Millwood). 1993;12(suppl):172-193.

<sup>17</sup>Butler SM. A policymaker's guide to the health care crisis. I. Heritage Talking Points. Washington, DC: The Heritage Foundation; February 12, 1992:5.

<sup>18</sup>Reinhardt UE. Economics. JAMA. 1996;275:1802-1804.

Representative Chen is a career diplomat, having served his country in nearly every corner of the world. Fluent in English, Chinese, Portuguese, and Spanish, Chen is a master communicator. He will certainly bring to the Hill his vast knowledge of foreign policy issues affecting his country and ours.

At a time of our country seeking better relations with the People's Republic of China, it is indeed a privilege to have someone like Representative Chen representing the Republic of China, a free democratic and sovereign country, which deserves a much strong presence in the world.

#### HONORING RADX TECHNOLOGY IN THE FIGHT AGAINST BREAST CANCER

**HON. KEN BENTSEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. BENTSEN. Mr. Speaker, I rise to recognize the tremendous contribution RADX Technology of Houston has made in the battle against breast cancer.

In October, we celebrated Breast Cancer Awareness Month, which included highlighting efforts by medical providers, community organizations, and businesses to ensure that all women have access to the breast cancer screening and treatment they need. It is particularly gratifying to acknowledge the efforts of the management and employees of RADX Technology, whose generosity is helping achieve this goal and save lives.

RADX has donated a new, more cost-effective mammography screening system to The Rose Diagnostic Clinic, which will help The Rose tremendously in its life-saving mission of providing affordable and accessible breast cancer screening to all women regardless of their ability to pay. This new machine, the mammoscope, has great potential to save lives because it will reduce the time between screening and diagnosis.

The Rose, a non-profit organization under the leadership of founder Dr. Dixie Melillo and executive director Dorothy Weston, operates three neighborhood clinics in the Houston area. Since it was founded in 1986, The Rose has performed more than 72,000 procedures, with 6,030 women receiving services free through The Rose Sponsorship Program for medically underserved women.

The Rose is always seeking to expand the reach and quality of its services, and it depends on the generosity of paying patients and community and business contributors to do so. RADX, which builds viewing systems for general radiography and mammography films, has helped meet a crucial need with a donation of the mammoscope, an \$18,000 device. Kathryn Earle, RADX purchasing manager, proposed the project after reading about The Rose and recognizing they would need to be able to read multiple mammograms efficiently to continue to increase their patient load. Using the mammoscope, The Rose will be able to increase the productivity of radiologists for both screening and diagnosis.

This project was a hands-on team effort of virtually all 60 RADX employees from management team members to warehouse workers. The mammography viewing system was built

#### SALUTE TO REPRESENTATIVE STEPHEN CHEN

**HON. DONALD M. PAYNE**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. PAYNE. Mr. Speaker, I rise today to welcome Taiwan's new representative, Dr. Stephen Chen, to Washington. Prior to his present assignment, Dr. Chen was deputy secretary-general in the office of the President, Taiwan.

from scratch by employees volunteering their time after hours and on weekends. RADX approached key suppliers to donate items for the project. Even the transportation of the system to The Rose was donated.

I congratulate all involved in this vital project, including executive director James Hinds and purchasing manager Kathryn Earle of RADX and Dr. Dixie Melillo and executive director Dorothy Weston of The Rose.

The value of the mammoscope and this partnership between The Rose and RADX cannot be overstated. One in 8 women can expect to develop breast cancer during her lifetime, and one in 28 women will die from it. Every 15 minutes, a woman dies from breast cancer. During this decade, it is estimated that more than 1.8 million women, and 12,000 men, will be diagnosed with breast cancer. Nearly half a million will die of this disease. Such statistics can be numbing, but they are all too real to those of us whose families have been affected by breast cancer.

But the saddest fact of all is that so many of these deaths are preventable. With the exception of skin cancer, breast cancer is the most survivable of cancers and when detected in its earlier stages, it has a 95 percent survival rate. So it is vital that women conduct regular breast self-examinations and obtain regular mammograms.

Because of The Rose and the tremendous generosity of RADX and its employees, more women will be able to get the screening and treatment they need. And most importantly, more lives will be saved.

#### RESOLVING THE CREDIT UNION MEMBERSHIP CONTROVERSY:

**HON. JOHN J. LaFALCE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. LaFALCE. Mr. Speaker, I am inserting for the RECORD a draft bill entitled, the "Credit Union Growth and Improvement Act." As I have explained elsewhere in remarks today, I am not introducing this legislation at this time. Rather, I am offering it for the consideration of my colleagues as a framework for future action, if legislation is needed. I also encourage the parties involved in the controversy over credit union membership to consider this proposal as a basis for possible compromise that can avoid years of continued litigation.

A discussion draft of the bill follows:

H.R.—

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Credit Union Growth and Improvement Act".

#### SEC. 2. DEFINITION OF MEMBERSHIP.

Section 109 of the Federal Credit Union Act (12 U.S.C. 1759) is amended—

(1) in the 1st sentence—

(A) by striking "Federal credit union membership shall consist of" and inserting "(a) IN GENERAL.—Subject to subsection (b), Federal credit union membership shall consist of"; and

(B) by striking ", except that" and all that follows through the period at the end of such sentence and inserting a period; and

(2) by adding at the end the following new subsection:

"(b) MEMBERSHIP FIELD.—

"(1) IN GENERAL.—Except as otherwise provided in paragraph (2), the membership of

any Federal credit union shall be limited to—

"(A) 1 or more groups—

"(i) each of which has (within such group) a common bond of occupation or association; and

"(ii) each of which has the principal location of such group within the same well-defined and limited community or rural district; or

"(B) groups within a well-defined community, neighborhood, or rural district.

"(2) EXCEPTIONS.—In the case of any Federal credit union whose field of membership is determined under paragraph (1)(A), clause (ii) of such paragraph shall not apply with respect to—

"(A) any such credit union the field of membership of which is limited to the employees of a single employer, such as a large corporation or a government agency or department, which has places of employment in more than 1 geographical location;

"(B) any group described in clause (i) of such paragraph which—

"(i) does not meet the requirement of clause (ii) of such paragraph; and

"(ii) was admitted to membership in such credit union before October 25, 1996; or

"(C) any credit union the membership of which is transferred to another credit union in any merger or consolidation undertaken by the Board, as conservator or liquidating agent, or any appropriate State credit union supervisor."

#### SEC. 3. GEOGRAPHICAL GUIDELINES FOR FIELD OF MEMBERSHIP APPROVAL.

Section 109 of the Federal Credit Union Act (12 U.S.C. 1759) is amended by inserting after subsection (b) (as added by section 2 of this Act) the following new subsection:

"(c) REGULATIONS REQUIRED.—

"(1) IN GENERAL.—The Board shall prescribe regulations to carry out clause (ii) of subsection (b)(1)(A).

"(2) CRITERIA FOR IMPLEMENTING GEOGRAPHIC REQUIREMENTS.—The criteria established by the Board for purposes of carrying out the requirements of subsection (b)(1)(A)(ii), and the factors taken into account by the Board in making any determination under such subsection, may differ from the criteria established by the Board for purposes of carrying out the requirements of subsection (b)(1)(B) and the factors taken into account by the Board in making any determination under such subsection.

"(3) LIMITED EXCEPTION FOR UNDERSERVED AREAS.—Notwithstanding clause (ii) of subsection (b)(1)(A), in the case of a Federal credit union described in such subsection the Board may allow the membership of the credit union to include a group the principal location of which is not the principal location of any of the other groups comprising the membership of such credit union if the Board determines that the community or rural district in which group is located—

"(A) is not served by other credit unions; and

"(B) is underserved, based on data from other Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act), by other depository institutions (as defined in such section)."

#### SEC. 4. CRITERIA FOR APPROVAL OF EXPANSION OF MEMBERSHIP.

Section 109 of the Federal Credit Union Act (12 U.S.C. 1759) is amended by inserting after subsection (c) (as added by section 3 of this Act) the following new subsection:

"(d) CRITERIA FOR APPROVAL PROCESS.—The Board may not approve any application by a Federal credit union to include any additional group within the field of membership of such credit union unless the Board determines that—

"(1) such credit union has not engaged in any unsafe or unsound practice (as defined in section 206(b)) during the 1-year period preceding the filing of the application;

"(2) the credit union has adequate reserves against losses on current loans and potential losses associated with the expansion of the membership;

"(3) the credit union has the administrative capability to serve the proposed membership group and the financial resources to meet the need for additional employees and fixed assets to serve the new membership group;

"(4) the credit union is meeting the need for credit and services of the current membership of the credit union according to standards established, by regulation, by the Board that take into account—

"(A) the number and types of groups already included within the membership of the credit union;

"(B) the penetration rates for such groups;

"(C) the type and number of services provided by the credit union to members;

"(D) the average loan-to-share ratio of the credit union;

"(E) the adequacy of the marketing strategy of the credit union; and

"(F) such other factors as the Board determines to be appropriate;

"(5) the expansion of the field of membership of the credit union to include the proposed group will not result in—

"(A) serious competitive injury to another insured credit union serving the same community or rural district in which group is located; or

"(B) unreasonable competition for other depository institutions (as defined in section 3 of the Federal Deposit Insurance Act) serving the same community or rural district; and

"(6) the credit union has met any additional requirements as the Board may prescribe in regulations."

#### SEC. 5. CRITERIA FOR APPROVAL OF EXPANSION OF MEMBERSHIP.

Section 109 of the Federal Credit Union Act (12 U.S.C. 1759) is amended by inserting after subsection (d) (as added by section 4 of this Act) the following new subsection:

"(e) INDIRECT MEMBERSHIP RESTRICTIONS.—

"(1) EMPLOYEE-BASED GROUPS.—The Board may not approve any application by any existing Federal credit union described in subsection (b)(1)(A) to expand the membership of such credit union to include a group consisting of more than 1,000 employees of any business or group of related business.

"(2) OCCUPATION-BASED GROUPS.—The Board may not approve any application by any existing Federal credit union described in subsection (b)(1)(A) to expand the membership of such credit union to include a group consisting of more than 2,000 persons who have a common bond of occupation.

"(3) ASSOCIATION-BASED GROUPS.—The Board may not approve any application by any existing Federal credit union described in subsection (b)(1)(A) to expand the membership of such credit union to include a group consisting of more than 5,000 members of a nonoccupation-based association or non-profit organization.

"(4) NEW CREDIT UNION.—Any group described in paragraph (1), (2), or (3) may be included in the field of membership of a Federal credit union at the time the credit union organization certificate of such credit union is submitted for approval to the Board under section 104.

"(5) EXCEPTIONS.—Paragraphs (1), (2), and (3) shall not apply to—

"(A) any group which was admitted to the membership of a Federal credit union before October 25, 1996;

"(B) the merger of 2 or more credit unions; and

"(C) the transfer of the membership of any credit union to another credit union in any merger or consolidation undertaken by the Board, as conservator or liquidating agent, or any appropriate State credit union supervisor."

"(6) NO LIMIT ON GROWTH OF GROUPS.—No provision of paragraph (1), (2), or (3) shall be construed as imposing any restriction on the number of members which comprise a group described in any such paragraph after such group has been included within the field of membership of any Federal credit union."

#### SEC. 6. COMMUNITY REINVESTMENT REQUIREMENTS FOR CERTAIN LARGE CREDIT UNIONS.

(a) STANDARDS FOR MEETING THE CREDIT AND SERVICE NEEDS OF CREDIT UNION MEMBERS.—Section 206 of the Federal Credit Union Act (12 U.S.C. 1786) is amended by adding at the end the following new subsection:

"(w) STANDARDS FOR MEETING THE CREDIT AND SERVICE NEEDS OF CREDIT UNION MEMBERS.—

"(1) IN GENERAL.—The Board shall establish, by regulation, standards for meeting the credit and service needs of members of any insured credit union that take into account—

"(A) the number and types of groups included within the membership of the insured credit union;

"(B) the penetration rates for such groups;

"(C) the type and number of services provided by the credit union to members;

"(D) the average loan-to-share ratio of the credit union;

"(E) the adequacy of the marketing strategy of the credit union; and

"(F) such other factors as the Board determines to be appropriate;

"(2) COMPLIANCE WITH THE COMMUNITY REINVESTMENT ACT OF 1977.—The Board prescribe regulations, in consultation with the Federal banking agencies (as defined in section 3(z) of the Federal Deposit Insurance Act), establishing—

"(A) standards for compliance with the requirements of the Community Reinvestment Act of 1977 by insured credit unions described in section 804(c); and

"(B) the sanctions for violating such requirements, including disapproval of an application, by any credit union which violates such requirements for the inclusion of a new group, for the inclusion of a new group within the field of membership of such credit union.

"(3) ANNUAL REVIEW.—The Board shall conduct an annual review of the extent to which any credit union described in section 804(c) of the Community Reinvestment Act of 1977 is in compliance with the requirements of the Community Reinvestment Act of 1977 to determine whether continued compliance is necessary."

(b) AMENDMENTS TO COMMUNITY REINVESTMENT ACT OF 1977.—Section 804 of the Community Reinvestment Act of 1977 (12 U.S.C. 2903) is amended by adding at the end the following new subsection:

"(c) APPLICABILITY TO CERTAIN LARGE CREDIT UNIONS.—

"(1) IN GENERAL.—Any insured credit union (as defined in section 101(7) of the Federal Credit Union Act)—

"(A) the field of membership of which includes 2 or more groups each of which has (within such group) a common bond of occupation or association;

"(B) which has total assets of \$25,000,000 or more; and

"(C) which fails to meet the standards established by the National Credit Union Administration Board (hereafter in this subsection referred to as the 'Board') under section 206(w)(1) of the Federal Credit Union Act, as determined by the Board,

shall be treated as a regulated financial institution for purposes of this title.

"(2) TREATMENT OF NATIONAL CREDIT UNION ADMINISTRATION BOARD.—For purposes of this title, the Board shall be treated as an appropriate Federal financial supervisory agency with respect to any insured credit union described in paragraph (1).

"(3) STRATEGIC PLAN OPTION.—The regulations prescribed by the Board for governing compliance with this title by insured credit unions described in paragraph (1) shall include an option to allow any such credit union to develop a strategic plan for meeting the obligations of the credit union under this title—

"(A) in consultation with members of the credit union and local officials and community organization in the communities served by such credit union; and

"(B) subject to the approval of the plan by the Board."

#### SEC. 7. NATIONAL CREDIT UNION ADMINISTRATION BOARD MEMBERSHIP.

Section 102(b) of the Federal Credit Union Act (12 U.S.C. 1752a(b)) is amended—

(1) by striking "(b) The Board" and inserting "(b) MEMBERSHIP AND APPOINTMENT OF BOARD—

"(1) IN GENERAL.—The Board"; and

(2) by adding at the end the following new paragraph:

"(2) APPOINTMENT CRITERIA.—

"(A) EXPERIENCE IN FINANCIAL SERVICES.—In considering appointments to the Board under paragraph (1), the President shall give consideration to—

"(i) individuals with experience in financial services and institutions other than credit unions; or

"(ii) individuals with experience in State regulation of credit unions or other financial institutions.

"(B) LIMIT ON APPOINTMENT OF CREDIT UNION OFFICERS.—Not more than 1 member of the Board may be appointed to the Board from among individuals who, at the time of such appointment, are, or have recently been, involved with any insured credit union as a committee member, director, officer, employee, or other institution-affiliated party.

### HONOREES IN ANNUAL TRIBUTE TO WOMEN

#### HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 9, 1997

Mr. DUNCAN. Mr. Speaker, the Knoxville YWCA last week held its annual Tribute to Women Program. The featured speaker was former Senator Nancy Kassebaum Baker, who has already become a very active member of the East Tennessee community in the relatively short period of time that she has been married to former Senator Howard Baker.

Six of the most outstanding women in the Knoxville area were chosen as special honorees this year. I would like to congratulate them for the great work they have done over the years, and I would like to call to the attention of all of my colleagues and other readers of the CONGRESSIONAL RECORD the editorial covering this program in the Knoxville News Sentinel.

#### WORTHY OF RECOGNITION

HONOREES IN ANNUAL TRIBUTE TO WOMEN ARE LEADERS IN THEIR FIELDS, COMMUNITY

Women are an instrumental part of any community, and the YWCA recognizes this in its annual Tribute to Women.

This year's banquet, held last week at the Hyatt Regency, honored women in six categories for their outstanding contributions.

The categories are arts, business and government, education, human services, science and technology and volunteer community service.

We add our congratulations to each of the honorees:

Julie Warren Martin in the arts category, an artist, who has become a significant part of the Knoxville arts community through her work as a professional and her commitment to champion the arts through community leadership.

Dr. Cheryl Kershaw in education, a part-time adjunct professor at the University of Tennessee and a consultant with individual schools and school systems as a partner in her firm, Educational Resources.

Hildegard M. Schuller in human services, a distinguished professor of comparative pathology at the UT College of Veterinary Medicine. A central component of her research has been how smoking affects the placenta in pregnant women and how it affects children.

Dr. Carolyn T. Hunasker in science and technology, a member of the Environmental Sciences Division of Oak Ridge National Laboratory. She has conducted research in environmental impact assessment, water quality characterization and modeling and landscape ecology.

Margaret Bemhower Manrod in volunteer community service, who has dedicated much of life to volunteer work. She is a co-founder of the East Tennessee Coalition on Breast and Cervical Cancer, which was the model for the state Department of Health's coalition.

Lillian G. Bean in business and government, clerk of the Knox County Circuit, Sessions and Juvenile courts. She has been elected to the position five times.

All of these women are leaders—in their fields, in our community.

Nancy Kassebaum Baker, a former Republican senator from Kansas now married to former Tennessee Sen. Howard Baker Jr., was a good choice for a speaker. She speaks from experience when she talks about women's contributions.

As she said at the event, "I think that (the tribute) shows women are in the forefront in improving the quality of life in one's community."

We join with the YWCA in commending these six honorees and in recognizing the accomplishments and contributions of all women.

### DISAPPROVING CANCELLATIONS TRANSMITTED BY PRESIDENT OCTOBER 6, 1997

SPEECH OF

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Saturday, November 8, 1997

Mr. LEVIN. Mr. Speaker, I rise in strong support of H.R. 2631 to disapprove the President's line-item veto of 38 military construction projects.

Despite the recent action by Congress to set the budget on a glide path to balance, we must remain vigilant against wasteful spending. Nothing undermines confidence in Congress so much as when our constituents pick up the morning newspaper and read about how some well-positioned Member of Congress inserted some favored pork barrel



project into an appropriation bill in the dead of night.

Clearly, this is not the case with the 38 military construction projects we are considering today. The White House admits that many of these projects were canceled in error on the basis of inaccurate information. Further, nearly all the projects were included in the Pentagon's long-term defense plan. These projects are not examples of the type of wasteful and excessive spending that the line-item veto was intended to address.

I have long supported giving the President the tools necessary to root out wasteful spending projects. In previous years I voted to grant the President a form of the line-item veto to rescind unnecessary spending; under this version, it would take a majority of the House and Senate to disapprove the President's veto. I continue to believe that it is inadvisable to give any President a line-item veto that requires two-thirds of both Houses of Congress to override. The requirement for a supermajority to override unwisely shifts too much power to the executive branch.

Despite this concern, I intend to fully support the President's veto of truly wasteful spending projects. As I have indicated, the 38 military construction projects before us today do not meet that test.

I urge my colleagues to support H.R. 2631.

#### INTRODUCTION OF THE RIGHTS OF THE CHILD ACT OF 1997

##### HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. SANDERS. Mr. Speaker, today I am reintroducing legislation calling for President Clinton to submit to the U.S. Senate and for the U.S. Senate to ratify the U.N. Convention on the Rights of the Child. America needs to affirm these fundamental human rights for all children. Our Nation remains one of a handful of nations that have not seen fit to affirm civil, political, economical, social, and humanitarian rights for children.

Why should we do this? Let me cite just one example.

It is wrong that at least 200 million defenseless children are working around the world today without any hope of ever seeing the inside of a classroom. Many of these abused children are making products exported for sale in our shopping malls, sporting goods stores, and oriental rug shops all across America.

Consider the plight of millions of child laborers, some as young as 4 years old, who are sold into virtual slavery; that is, bonded and indentured servants, and chained to looms for 14 hours a day hand-knotting the oriental rugs that grace the foyers and living rooms of countless homes and offices all across our country.

Exploited children toil in factories, mines, fields, at looms, and even in brothels, sacrificing their youth, health, and innocence for little or no wages.

They are hand-stitching the Nike and Adidas soccer balls that our kids practice with every day. The very same soccer balls that were used at the Atlanta Olympics last year.

They are sewing the blouses and slacks that Kathie Lee Gifford was paid \$7 million a

year to promote for Walmart stores until she was embarrassed last year.

They are making Mattel Barbie Dolls that little girls across America play with every day.

They are even sharpening the surgical instruments used in our hospital operating rooms.

This situation is totally unacceptable and there are actions that must be taken to stop this affront to basic human decency. That is why I authored the recently enacted law to prohibit the importing of any products made by forced or indentured child labor for the first time in our Nation's history.

At the same time, our standing to push for a crackdown on child labor around the world would be strengthened if we would ratify the U.N. Convention on the Rights of the Child.

I firmly believe trade is not an end in itself, but a means toward attaining more economic justice, social responsibility, and environmental sustain ability in the United States and the global economy.

The fact that current trade rules go to great lengths to protect property rights, while ignoring the rights of working people—especially children—says much about the absurd priorities of our current trade policies.

Inside and outside the halls of government, we have the power to change this sorry state of affairs. Access to the American marketplace and consumer purchasing power are powerful sources of leverage that should be used to encourage foreign producers and importers to treat defenseless children and all workers with dignity and respect.

We need a trading system that protects the fundamental rights of children and all working people and not just the property rights of corporations and financiers. I am especially delighted that some Vermont teenagers have already begun to speak out and demand action in defense of kids overseas who cannot help themselves. I applaud their human rights leadership and I hope this Congress will go beyond the recently enacted ban that I authored to cut foreign aid to countries that fail to enforce their own child labor laws and to keep any imports made by children under 14 who are employed in manufacturing or mining out of the U.S. marketplace as has been proposed by Senator HARKIN, Congressman FRANK, and myself.

Mobilizing the global community against the scourge of child labor is critically important. Certainly, this effort will be greatly enhanced if America joins 169 other nations that have already ratified the U.N. Convention on the Rights of the Child.

#### CONGRATULATING AMERICAN LEGION LEON BURSON POST NO. 395 OF PLANO, IL

##### HON. J. DENNIS HASTERT

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. HASTERT. Mr. Speaker, I rise today to congratulate the members and auxiliary of American Legion Leon Burson Post No. 395 in Plano, IL, on the post's 78th anniversary.

Mr. Speaker, the Leon Burson Post No. 395 of the American Legion was granted its charter in 1919, shortly after the guns fell silent in World War I, and the Legion auxiliary was

chartered in 1920. The servicemen and women who banded together to form this post shortly after our soldiers and sailors returned home were interested in keeping their spirit of camaraderie alive. They came together through the American Legion with a goal toward serving their community and their fellow veterans, and they have been meeting that challenge ever since.

Working with other community organizations, including other service clubs, civic groups and churches of varied faiths, the men and women of the Leon Burson Post have served their community faithfully and well. They participate in programs to benefit hospitalized veterans, they support the Illinois Boys and Girls State programs, sponsor Boy Scout and Cub Scout organizations, work with the local Mothers Against Gangs group, and host the annual Plano Youth Tackle Football banquet. They have held fundraisers for local residents who have needed assistance in meeting long-term health care needs and have even provided scholarships for local students. I could go on and on with the projects and programs these men and women have participated in, but let me just say that those that I have mentioned are but a brief sample of the fine efforts displayed by these dedicated post members.

Mr. Speaker, it is organizations such as these that continue to make our Nation strong. I urge my colleagues to join me in celebrating the post's anniversary, and to congratulate American Legion Leon Burson Post No. 395 of Plano, IL for their efforts on behalf of their community and our Nation.

#### INTRODUCTION OF LEGISLATION TO HOLD OWNERS OF PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION LIABLE FOR UNPAID REFUNDS OF UNEARNED INSTITUTIONAL CHARGES

##### HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. ALLEN. Mr. Speaker, I am today introducing legislation which would amend the Higher Education Act of 1965 to authorize the Secretary of Education to hold owners of proprietary institutions liable for unpaid refunds of unearned institutional charges.

Mr. Speaker, this legislation is necessary to protect students caught in the occasional mismanagement of higher education institutions. Students should be able to attend an educational institution and trust that their tuition and financial aid dollars are being handled properly. When this is not the case, the Secretary should have the power to impose appropriate sanctions not only against the proprietary institution involved, but also against the owner of the institution.

This legislation covers owners of for-profit institutions. I want to be clear that public and private non-profit institutions would not be affected by this legislation. Trustees of public and private colleges and universities would not be considered as owners or proprietors of an institution for the purposes of this legislation.

My bill will solidify the Secretary's power to hold the owner or owners of a proprietary higher education institution liable for financial

losses to the Federal Government and student assistance recipients. Presently the Secretary has the general legislative power to do so, but there is no meaningful mechanism in place to collect funds owed. Therefore, the Secretary has only been able to seek recourse from institutions, not their owners. Many institutions fail to make unearned refunds because they are bankrupt. My bill provides the Secretary with the mechanism to collect the funds. It does so by holding the owner liable in the same way that an individual would be responsible for penalties for the nonpayment of taxes.

Taxpayer dollars should be protected to ensure the continued availability and viability of student financial aid programs. A person who has left one proprietary institution without the resources to pay refunds due and owing to students should not be able to start another school without compensating students who are owed refunds. Yet this can happen now. My legislation corrects this problem by requiring that a proprietary institution of higher education may be provisionally certified only if the prospective owner provides the Secretary with financial guarantees.

Mr. Speaker, next year when we consider the Higher Education Reauthorization, I expect that interest in this legislation will grow. I urge my colleagues to support this legislation in the months to come.

#### COMMUNITY EMPLOYMENT PARTNERSHIP ACT OF 1997

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. LOWEY. Mr. Speaker, today I am very pleased to join my good friend and colleague from Connecticut, Mrs. JOHNSON, in introducing the Community Employment Partnership Act of 1997. This bipartisan legislation will provide communities across the country with a significant new tool in moving millions of Americans from welfare to work by establishing tax incentives for not-for-profit employers.

The central challenge of the new Federal welfare reform law is to help millions of public assistance recipients enter the work force. However, currently only profit-making employers are provided with the tools, principally in the form of the work opportunity tax credit, to recruit, hire, and train long-term welfare recipients.

Across the Nation, not-for-profits such as hospitals, nursing homes, universities, and community-based organizations remain a major untapped resource for hiring people on welfare. Many not-for-profit employers that are in need of entry-level workers are located in cities with high concentrations of welfare recipients and easy access to mass transit. This helps eliminate one of the major impediments to welfare recipients keeping a job: the cost and time of getting to and from work.

It is clear that if we want to ensure the maximum level of participation from all employers in moving people from welfare to work, we must pass legislation that expands the work opportunity tax credit program to include not-for-profit employers. Our legislation will do just that through a graduated tax credit to reduce not-for-profits' Federal payroll tax liability. Specifically,

this legislation will provide a 20-percent tax credit on payroll taxes from the date of hire for the first \$6,000 in wages for those working 120 to 399 hours each calendar year quarter and a 30-percent credit for the first \$6,000 in wages for people working 400 hours or more.

I know first-hand that in the New York metropolitan area, including hospitals, universities, and other not-for-profits in the welfare-to-work effort will not only help tens of thousands of welfare recipients become self-sufficient, it will also give these institutions the financial means to better support their communities and meet their own pressing labor needs. That is why the Community Employment Partnership Act has been endorsed by the Non-Profit Coordinating Committee of New York.

Mr. Speaker, our legislation is clearly a win-win situation for communities across the Nation. I urge my colleagues to join us in this effort.

#### A TRIBUTE TO LT. TRACY A. BARKHIMER

**HON. JIM KOLBE**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. KOLBE. Mr. Speaker, I rise today to recognize a truly outstanding naval officer, Lt. Tracy Anne Barkhimer, U.S. Navy. Lieutenant Barkhimer will soon be completing her assignment as liaison officer in the Navy's Office of Legislative Affairs, Rayburn House Office Building. It is a distinct pleasure for me to recognize a few of her many outstanding accomplishments.

A native of Staten Island, NY, Lieutenant Barkhimer received a bachelor of engineering degree in electrical engineering and an unlimited tonnage/any ocean third mates' license in the U.S. Merchant Marine from the State University of New York Maritime College and was commissioned an ensign in August 1988. Lieutenant Barkhimer completed naval aviation training in the T-34C airplane and in the H-57B helicopter in Pensacola, FL, and was designated an unrestricted naval aviator in June 1990.

After receiving her wings of gold, Lieutenant Barkhimer was transferred to the H-46 Helicopter Fleet Replacement Squadron in San Diego, CA for training in the Sea Knight helicopter. In August 1991, she reported to Helicopter Combat Support Squadron Eleven [HC-11] as an operations officer. During her tour, she deployed as a copilot for 6 months aboard U.S.S. *Wabash* [AOR5], participating in Operations Desert Shield and Desert Storm. Lieutenant Barkhimer also flew marines under combat conditions to the shores of Mogadishu, Somalia as U.S. forces worked to secure the airport and the U.S. Embassy. While on shore, Lieutenant Barkhimer performed duties as the squadron NATOPS officer, nuclear safety officer, assistant administrative officer and administrative department head for 3 months.

Lieutenant Barkhimer then deployed aboard U.S.S. *Camden* [AOE2] as assistant officer in charge/operations officer of a two-plane detachment with a complement of 30 maintenance personnel. During this 6-month deployment, she participated as an aircraft commander in Operations Desert Storm and Re-

store Hope. Upon successful completion of her second deployment, she returned to PC-11 as administrative officer and reached the 1,000 flight hours in model milestone. In January 1995, Lieutenant Barkhimer was hand-picked as a liaison officer to the House of Representatives for the Navy's Chief of Legislative Affairs.

Lieutenant Barkhimer has made a lasting contribution during her 3-year tenure at the Navy Liaison Office. She has processed thousands of sensitive constituent inquiries for the 104th and 105th Congresses in a timely, highly efficient, and caring manner.

Lieutenant Barkhimer planned and escorted numerous staff delegation orientation trips to various Navy and Marine Corps units and installations across the United States, introducing key congressional military advisors to the issues and challenges facing the sea services. Her extensive professional knowledge of aviation, surface and submarine programs, and impressive ability to communicate Navy legislative priorities.

Lieutenant Barkhimer flawlessly planned and executed three major overseas congressional delegation trips, two of which were led by myself. Her meticulous attention to detail and outstanding organizational skills were absolutely essential to the success of these trips.

Mr. Speaker, Tracy Barkhimer and her husband Eric have made significant sacrifices during her 9-year naval career. Tracy has spent a significant amount of time away from her family to support the vital role the U.S. Navy plays in executing our national security strategy. Lieutenant Barkhimer is a great credit to the U.S. Navy and to this great country she so proudly serves. Recently selected to the highly competitive Aviation Engineering Duty Officer Program, she now departs Capitol Hill to take on a new challenge at the Naval Air Systems Command in Patuxent River, MD as the V-22 Osprey Avionics Systems Project Officer. I call upon my colleagues from both sides of the aisle to wish her every success as well as fair winds and following seas, always.

#### THE WELFARE REFORM PROGRAM IS SUCCESSFUL IN SOUTH CAROLINA

**HON. FLOYD SPENCE**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. SPENCE. Mr. Speaker, I am pleased to report to my colleagues that the welfare reform that we have enacted is achieving the results that we intended in South Carolina. When I was in my district recently I met with Mr. Chester J. Tomson, Jr., who is the director for Orangeburg County of the South Carolina Department of Social Services [DSS]. During that meeting, and in a subsequent letter, Mr. Tomson relayed to me the success that he is experiencing in his County as a result of the welfare reform that was enacted by the Congress. Since the welfare reform initiative began in South Carolina, in January of 1996, the Orangeburg County DSS Office has placed 985 heads of households in full time employment at minimum wage. It is estimated by the staff of that Office that nearly 85 percent of those who were placed in jobs have stayed in that employment for at least 30 days



and that many have been employed for over 1 year.

In regard to articles that have been published about fears that welfare reform would result in incidents of children having to be placed in foster care due to neglect, as well as for other causes associated with changes in the welfare system, those concerns have been shown to be unfounded in Orangeburg County. In January 1996, the intake rate for children in Orangeburg County averaged 35 to 40 cases per month, and the DSS Office there reports that this rate has not changed.

According to the Orangeburg County DSS Office, most of the client families that they serve are headed by single parents who are female, with positions that have been traditionally held by females difficult to find there. In this County, which is the second largest geographically in the State, the unemployment rate is 10 percent, there is a high incidence of illiteracy, and there is no rural public transportation system. Yet, they are making inroads in helping their disadvantaged population to find work and improve their lives. I would like to take this opportunity to commend the staff of the Orangeburg County DSS on their dedication and wish them much continued success.

#### INTRODUCTION OF LEGISLATION TO ENHANCE CHILD SUPPORT ENFORCEMENT

#### HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. CARDIN. Mr. Speaker, today I introduced legislation to provide new tools for the enforcement of child support orders in this Nation. In the process of shaping the 1996 comprehensive welfare reform bill it became clear that effective child support enforcement was among the best means this Nation has to end welfare as we know it. The bill I introduced today will assist State and Federal officials in dealing with some of their toughest delinquency cases.

This legislation would establish tough enforcement measures for dealing with foreign nationals who are noncustodial parents with children living in this Nation. The bill would deny entry visas and residency status to those falling more than \$5,000 behind in court-ordered child support payments. In addition, naturalization could not take place until one is in compliance with support orders. The bill would allow these foreigners to attend court hearings and other related legal proceedings in this Nation. It also provides new authority for immigration officers to serve court orders, summons, and other legal process at the border—when we best know the whereabouts of foreign nationals.

These provisions are similar to existing child support enforcement measures imposed on U.S. citizens, such as the denial of drivers and/or other professional licenses, as well as passports. These penalties also generally become applicable when one is more than \$5,000 behind in payments. This issue was brought to my attention by a constituent who could not collect ordered payments from a foreign national, though the irresponsible parent regularly traveled in and out of this country on business. As we make it tough on Americans

who are irresponsible, we should do the same with foreign nationals.

I urge my colleagues to join me in support of this legislation to provide new tools for child support enforcement. I would also ask that the text of the legislation be printed in the RECORD at this point.

#### TRIBUTE TO MARILYN DONLIN

#### HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to an educator, and an exceptional community activist, Marilyn Donlin of Warren, MI.

I have known Marilyn Donlin and her husband Bert for many, many years. We first became acquainted through democratic Party activities in Metropolitan Detroit. I have since had the good fortune and pleasure of renewing our friendship and working relationship beginning in 1992, when I was first elected to represent the city of Warren in the new 12th congressional district.

After graduating from Cass Technical High School in Detroit, Marilyn Donlin received a bachelor of philosophy from the University of Detroit and a masters of arts from Saginaw Valley State University. In addition to her involvement in high school and college with the concert and marching bands, no one would be surprised to learn that Marilyn chose the debate team and national forensic league as her other extracurricular activities.

While Marilyn Donlin taught school for Warren's Fitzgerald Public Schools from 1957 to 1955, her pioneering spirit and strong personality assured that Marilyn would be a leader in her community. While serving as president of the Fitzgerald Education Association, [MEA-NEA] from 1984 to 1995, when she spoke of her work, her focus was on the children she taught, their individual lives and struggles.

Marilyn Donlin's institutional knowledge of community politics and activities is unparalleled. Her participation in Democratic Party activities are too numerous to name, spanning decades in the Metro Detroit community. Yet, even a chronological list of her involvement wouldn't do justice to the role Marilyn has played over the years. She is a leader. She is an organizer. She is a mentor. She is truly a pioneer and has been an important progressive force in her community.

Certainly, the results of her work and activism have benefitted individuals in her community—she cares about people and the issues which impact their lives. However, Marilyn's prominent role in politics and public life have had an impact far beyond policy and government action. She has played a significant part in advancing the role of women in politics and public service. She has done this quietly, yet effectively. I know she realizes the importance of this achievement and I hope she realizes the tremendous impact she has had.

It has been my sincere pleasure to work with Marilyn Donlin through the years. I wish her the best as she embarks upon her third retirement. There is no doubt that as she immerses herself in her next endeavor, our communities will continue to reap the benefits of her work.

#### ON THE INTRODUCTION OF THE NATIONAL BEVERAGE CONTAINER RECYCLING INITIATIVE ACT

#### HON. THOMAS H. ALLEN

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. ALLEN. Mr. Speaker, I rise today to introduce the National Beverage Container Recycling Initiative Act. This comprehensive beverage container redemption bill is based on the current redemption law in my State, Maine.

There is one simple reason why I believe the Maine bottle bill should be the model for Federal legislation: it works. In fact, Maine leads the Nation with a 96 percent redemption rate on all types of returnables.

We have over 20 years experience with our Maine bottle bill. But then, we have over three centuries of experience with the basic Yankee values that underlie the concept of the bottle bill: common sense, frugality and a respect for the environment that sustains us.

After enacting the bottle bill through referendum with 54 percent of the vote in 1976, Mainers reaffirmed the law 3 years later when 67 percent of the voters opposed a repeal initiative. In 1989, to build upon the bottle bill's success, the Maine legislature extended deposits to all glass, metal and plastic beverage containers under 4 liters, except for milk cartons.

Mainers have grown so accustomed to returning their bottles and cans that recycling has become a way of life. In 1993, Maine people recycled over 425,000 tons of material, which equals one-third of the municipal waste generated statewide, and is 50 percent higher than the national average.

Recycling is a \$1.6 billion industry in Maine, employing 8,100 people in good jobs paying an average of over \$20,000 a year. Beaches and roads in Maine are cleaner, our volume of trash collected has been reduced, and jobs have been created, all due to the bottle bill.

My proposal would place a 5-cent deposit on regular beer, wine, and soda bottles. The bill would also extend the 5-cent deposit to so-called new-age beverage containers. These are mostly glass juice containers such as Snapple, Very Fine, and Gatorade. These beverages constitute over 20 percent of the national beverage market. Maine is currently the only State with a deposit and refund on these containers.

My bill would also place a 15-cent deposit on wine and spirit containers. As an incentive to implement the bottle bill, retailers would receive a 2-cent per container fee for their participation in the program. Unclaimed deposits would go to the States to help fund their environmental programs.

The benefits of a national bottle bill are obvious: cleaner highways, beaches and communities. But there is more to a bottle bill than improving the appearance of our country. Recycling creates jobs, reduces the volume of heavy solid waste at landfills and transfer stations, and saves energy. Moreover, a bottle bill engages all people in the task of protecting our natural resources.

I am convinced that a bottle bill modeled on Maine's extraordinarily successful program would benefit the entire Nation. Already nine

other States have some form of bottle bill in effect. The 77 million Americans who live in these bottle bill States already recycle more than the rest of the 186 million Americans in States without bottle bills. In 1995, EPA reported that the 10 bottle bill States recycled 1.63 million tons of beverage containers, 300,000 more tons than the 1.33 million tons recycled by the other 40 States combined.

As I introduced this important bill, I cannot help but offer an appropriate paraphrase of a timeless political adage, which I hope this legislation will bring to life: "as Maine recycles, so recycles the nation."

#### INTRODUCTION OF THE POST-SECONDARY ADULT VOCATIONAL EDUCATION ACT

**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. LOWEY. Mr. Speaker, today I am introducing the Postsecondary Adult Vocational Education Act [PAVE] to promote vocational and higher education as a means of helping welfare recipients to become self-sufficient.

Last year, Congress enacted a sweeping welfare reform law with my support. The new welfare system is designed to provide needy families with job preparation, work, and support services to enable them to leave the welfare program and become self-sufficient. In particular, it permits a limited number of adult welfare recipients to pursue vocational educational training—but only for 1 year. I believe this provision is inadequate. The fact is, nearly half of all jobs in the 21st century will require some postsecondary education.

That is why I have introduced the PAVE Act. This legislation would permit more welfare recipients to attend institutions of higher education for up to 2 years—enough time to earn a vocational or community college degree. In addition, those who attend college while on welfare would be permitted to fulfill their additional work requirements through college work-study. Working on campus will cut down on the time and expenses of commuting that make it so difficult for single mothers to meet their work and family responsibilities.

In my district there are a number of effective higher education programs that are helping welfare recipients find and keep good jobs, including the JobSTAR Program at Westchester Community College and the CLOUT Program at Pace University. Programs around the country are having similar success. By expanding the vocational and higher education opportunities available under the new welfare law, the PAVE Act will enable more welfare recipients to gain the knowledge and employment skills they need to support their families on their own and leave the welfare rolls once and for all.

The Postsecondary Adult Vocational Education Act is a commonsense proposal that will help pave the road to self-sufficiency. I invite my colleagues to join me and cosponsor this important legislation.

FEDERAL CHILD CARE CENTERS,  
H.R. 2982

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. GILMAN. Mr. Speaker, I rise today to urge my colleagues to support H.R. 2982, the Quality Child Care for Federal Employees Act. With the topic of child care on every news program and magazine cover, we here in the House need to look at this problem and begin to bring about changes in child care throughout America, especially in federally owned buildings.

Unfortunately, these Federal child care centers are not forced to maintain the same standards as privately owned facilities. Not only do these centers not have to comply with the State or local codes regarding child care centers, but in addition they do not follow basic fire and health codes because they are Federal facilities. This legislation will mandate that all Federal child care centers comply with State and local fire and health ordinances in addition to all other child care center codes.

This is an important first step in improving our Nation's child care and in ensuring the safety of our children who spend a great deal of their formative years in such centers. I urge my colleagues to join in supporting the thousands of children in day care by supporting my bill, H.R. 2982.

#### APPLAUDING HOUSE COLLEAGUES FOR CHINA VOTES

**HON. KEN CALVERT**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. CALVERT. Mr. Speaker, I rise today to applaud my colleagues for passing by overwhelming majority nine separate bills assailing China's human rights record, its weapons sales, its treatment of religious minorities, its support of compulsory abortion, and its relationship with Taiwan. Virtually all Americans share the same goals with regard to ending China's oppressive practices, but many disagree on the means necessary to accomplish those goals. These bills strongly show the anger and frustration of this Congress toward the Communist Chinese regime.

As former President Ronald Reagan did with the "Evil Empire," I believe the United States must continue to maintain firm dialog with its adversaries, contain them militarily, and saturate them with Western, pro-freedom influences. I believe a similar combination will work on China. I am tough on China and any country that allows human rights abuses and religious persecutions.

As a subcommittee chairman, I denied President Clinton's ill-thought plan for a \$50 million coal plant for China. I also recently took part in an event sponsored by the Congressional Human Rights Caucus and "adopted" Gyaltsen Choezom, a Tibetan nun, and Qin Musheng, and evangelical pastor, who are imprisoned by the Chinese Government for

the peaceful expression of their political beliefs or the practice of their religion. I will join other colleagues in advocating for the release of their adopted prisoners with the Chinese Government. I am committed to improving human rights and establishing true religious freedom for all of the people of China.

#### CHARTER SCHOOL AMENDMENTS ACT OF 1997

SPEECH OF

**HON. ROBERT SMITH**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Friday, November 7, 1997*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools:

Mr. SMITH of Oregon. Mr. Chairman, I rise today to offer additional comments regarding an amendment I offered to the Charter Schools Amendments Act of 1997 that will enable Oregon to continue its efforts to give students and parents broad choices in public education.

I would like to thank the Chairman of the Committee on Education and the Workforce, Mr. GOODLING, and the Chairman of the Subcommittee on Early Childhood, Youth and Families, Mr. RIGGS, for their work in bringing this important legislation before us today.

I also appreciate the work of my colleague from Oregon, Ms. HOOLEY, for her hard work on this issue. I want to thank her for her efforts.

Charter schools are innovative public schools that are held accountable for academic results in exchange for freedom from burdensome regulations. The Charter Schools Amendment Act will carefully target funding for the Federal Public Charter Schools Program.

Currently, Oregon has implemented the charter school concept under enabling State statutes. This State legislation gives local school boards broad authority to establish new schools or restructure existing schools to be innovative and flexible in the way they educate children. However, my home State of Oregon does not have a specific charter school law.

Therefore, under this bill, Oregon, which this year received the final year of a 3-year Federal Public Charter Schools Program grant, would be ineligible for continued funding.

Mr. Chairman, my amendment simply makes it clear that States, which have received a 3-year grant, are not prohibited from receiving a 2-year grant extension. This amendment would extend Oregon's eligibility until 1999, when our State legislature, which meets every 2 years, convenes again and has the opportunity to pass a specific State charter school law.

My amendment will enable the State of Oregon to apply for continued support to provide creative, flexible educational options for students and families.

MADONNA UNIVERSITY'S 50TH  
ANNIVERSARY

**HON. JOE KNOLLENBERG**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. KNOLLENBERG. Mr. Speaker, I rise today to congratulate Madonna University on its 50th anniversary.

Founded in 1947 by the Felician Sisters of Livonia, Madonna University has grown from a student body of 9 to one of 4,000.

Throughout the years, Madonna has undergone many changes. In 1962, Madonna expanded its curriculum to include a 4-year degree program in nursing. In 1972, men were admitted for the first time to degree programs and Madonna's curriculum was expanded to include programs in criminal justice, radiologic technology, and fire protection and occupational safety.

In 1975, Madonna initiated a interpreting program for communication with deaf persons and the first deaf students were admitted to the college. In 1991, Madonna College was renamed Madonna University.

Madonna University is one of the gems in my congressional district. This institution of higher learning provides dedicated students with the opportunity to develop their skills and receive a first class education.

It is with great appreciation that I extend my congratulations to the board of trustees, President Sister Mary Francilene, the alumni, and the students of Madonna University.

THE GUARDIANS OF FREEDOM

**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. FRELINGHUYSEN. Mr. Speaker, this Veterans Day, I would like to share with my colleagues a very poignant letter I received yesterday from my constituent, Dr. Peter Tarasoff of Randolph, NJ. Dr. Tarasoff returned earlier this year from his service as a U.S. Army Military Reserve physician in support of Operation Joint Endeavor in Europe, and recently retired with the rank of lieutenant colonel.

As someone who has the unique view of serving patients in our armed services and as a private physician, Dr. Tarasoff recognizes what we often forget—that 365 days a year, there are American men and women in harm's way around the world, in more than 100 countries, protecting our freedoms. Dr. Tarasoff writes:

Having now completed more than 20 years of service with the Army Medical Corps, I have retired and thankfully, returned to civilian life and my family. As our military forces continue to downsize and the responsibilities placed upon their shoulders increase, I hope the American public will continue to remember the tremendous job being done on all our behalves by the men and women of the uniformed services. I am concerned, however, that this might not be the case.

I hope that you and your colleagues in the Congress will take every opportunity, such as Veterans Day, Armed Forces Day, to re-

mind all Americans of this. I still recall very clearly December 25, 1996, a bitterly cold day in Germany, when during formation, our unit commander remarked, "None of us will ever forget Christmas 1996. This is the year that we give to our country the gifts of our talent, service, and time in the name of freedom. Our families give even more through their willingness to support things at home and maintain us here with their love and devotion. Democracy is expensive and a few often pay the dues for many."

So, Mr. Speaker, this Veterans Day, I would ask my fellow Americans to stop and thank a veteran for paying the price of freedom, and think about our men and women serving overseas—they won't have the day off.

FREE LEYLA ZANA, KUDISH PARLIAMENTARIAN JAILED IN TURKEY

**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. PORTER. Mr. Speaker, I come to the floor today to express my profound outrage at the treatment of an elected official in Turkey. Leyla Zana—a Kurdish parliamentarian, duly elected by the people of her district—has been arrested and jailed in Turkey for the crime of expressing her political opinions and beliefs. To be precise, Ms. Zana had the temerity to express her views at a meeting of the Commission on Security and Cooperation, here in Washington. Her prosecution is a crime against democracy and a crime against freedom. For nearly 3 weeks, a group of Kurds and Americans have been fasting in front of the Capitol in silent protest of Leyla Zana's incarceration. One of these individuals was forced to end his vigil yesterday because his health was threatened.

Last week, over 150 of my colleagues and I sent a letter to President Clinton asking him to demand Leyla Zana's freedom. I regret to say, however, that I do not have high hopes that our Government will take her case seriously. Our administration—like those before it—has maintained a policy of ignoring outrageous Turkish human rights abuses, and papering over the fault lines in Turkish democracy.

For the past week, many of my colleagues and I have taken to the floor to express our genuine outrage at the human rights abuses in China. The litany of human rights abuses that we heard about is, unfortunately, what we have come to expect from countries like China. What we should not expect or tolerate is for a country like Turkey—ostensibly a western, European, democratic country—to have the same type of human rights problems. Yet Leyla Zana's case demonstrates that freedom of expression, freedom of thought and political dissidence are nearly as dangerous in Turkey as they are in China today. Turkey is our close ally, a partner in NATO and the European theater. How can we criticize China, but expect so little from Turkey? This hypocrisy must end.

It is even more shameful that Turkey's harassment of the Kurdish people does not end at its own borders. In the past 3 weeks, Turkey has openly waged an indiscriminate attack on Kurdish villages in Northern Iraq. Turkey

has said that they are merely pursuing the PKK into Northern Iraq, but the facts bear out a different story. The use of napalm and cluster bombs against civilians in Northern Iraq is irrefutable evidence that Turkey does not care who it hurts in its mindless military effort to eradicate the Kurds. I am ashamed to say that our Government—the same government that marshaled the entire international community when these same Kurds were attacked by Saddam Hussein—has done nothing to criticize this lawless behavior on the part of our ally Turkey. Instead we have allowed Turkey to willfully disrupt our own efforts to negotiate a peaceful settlement between the Kurdish groups in Northern Iraq.

The United States has a moral responsibility to speak out against such behavior whether it comes from China or Turkey. I hope that my colleagues will join me in expressing their outrage at Turkey's outrageous actions at home and beyond its borders, and our own administration's "see no evil" policies.

CAMPAIGN FINANCE REFORM

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. KIND. Mr. Speaker, today is the end of the line for those of us who support campaign finance reform. Today, it is expected that we will complete our legislative session, and will adjourn for the rest of the year. We will adjourn without having been given a vote on campaign finance reform. The leadership of this House has rejected the pleas of myself and many of my colleagues to bring a bill to the floor for a debate and vote.

It is obvious that the current system is broken and needs dramatic change. Too much money is being spent on campaigns. This has prohibited many qualified individuals from running for office, it has created disgust with the democratic process, and it has resulted in some of the lowest voter turnout in years. It is our responsibility as elected officials to change the current system.

There have been some promises that the House will consider a campaign finance reform bill in March of next year. It will be too late. Next year is an election year and even if we do pass legislation which will change the current system, which is still unlikely, it will be too late for the 1998 election cycle. That means a continued escalation of spending in campaigns, more soft money expenditures, more independent expenditures by special interest groups, and ultimately more public dissatisfaction with the process.

I have risen each day and made a statement calling for a vote on campaign finance reform. The leadership has failed to respond to my call. More importantly, they have failed to respond to the demands of the public for an end to the big money race.

I hope that when we return next year we will respond to the demands of the public and allow a vote on campaign finance reform. The people of my district demand that we take action.

EXPLANATION OF VOTES DURING  
MEDICAL ABSENCE**HON. BOB RILEY**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. RILEY. Mr. Speaker, for medical reasons, I was absent during the following rollcall votes. Had I been present, I would have been recorded in the following manner.

TUESDAY, NOVEMBER 4, 1997

On rollcall No. 572, a bill to require the Secretary of the Interior to exchange certain lands located in Hinsdale County, CO, I would have voted "aye."

On rollcall No. 573, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles, I would have voted "aye."

On rollcall No. 574, a bill to reaffirm the Federal relationship of the Burt Lake Band as a distinct federally recognized Indian tribe, I would have voted "nay."

WEDNESDAY, NOVEMBER 5, 1997

On rollcall No. 575, a motion to approve the Journal, I would have voted "aye."

On rollcall No. 576, a quorum call, I would have voted "present."

On rollcall No. 577, a bill to amend the Internal Revenue Code of 1986 to restructure and reform the Internal Revenue Service, I would have voted "aye."

Mr. Speaker, I rise today in strong support of H.R. 2676, legislation that will once and for all establish a taxpayer bill of rights. Our Tax Code has grown from 11,400 words in 1913, to 5.5 million words in the current code. Enough is enough. The Tax Code is too complicated and too hard to understand for most Americans. Each year, Americans spend more than 5 billion hours and \$157 billion preparing their tax returns.

It is time to reign in the IRS, which too often seems to operate as if it's above the law. Recent hearings in both the House and Senate have shown that the IRS will stop at almost nothing in its harassment of law-abiding citizens. With its vast array of unchecked powers it is not surprising that the IRS has used its authority to needlessly destroy families, close businesses, put people out of work, and shatter dreams. Unfortunately, current law makes it impossible for innocent taxpayers to fight back.

I think a recent Newsweek Magazine article said it best: The IRS has too much muscle, too much money, and too little oversight. The agency is out of control and it is not going to fix itself. Only Congress can do that. In my view, we should overhaul—if not eventually abolish—the IRS.

Then we should scrap the Tax Code and replace it with one that is fairer and flatter.

Today, the House has an opportunity to take an important first step. By passing H.R. 2676, the Internal Revenue Service Restructuring and Reform Act, we can show the American people that their Government exists to serve them, not itself. This bill will rein in the out-of-control monster that the IRS has become. It will create new administrative and oversight structures, and it will give taxpayers new protections and rights. More importantly, H.R. 2676 will shift the burden of proof from the taxpayers to the IRS. In other words, the

IRS will no longer be free to harass the American people.

For too long, Mr. Speaker, the table has been tilted in favor of the IRS. As result, the IRS has abused its power and mistreated millions of taxpayers. I, like the American people, won't stand for it any longer. As an elected official and a representative of the people, neither should you.

On rollcall No. 578, on agreeing to the rule, I would have voted "aye."

Mr. Speaker, over the last few weeks, Congress has been engulfed in a debate about China. The House will consider nine legislative initiatives that focus directly on China. This Policy for Freedom initiative includes legislation that attempts to deal with the Chinese sale of military hardware, the Chinese Government's inability to protect intellectual property rights, the Government's failure to accept different religions, and human rights. These debates, which have been continuing since Nixon re-established relations in the 1960's and the 1989 Tiananmen Square massacre, are particularly poignant this week because of the formal meetings this week between Mr. Jiang Zemin, the President of the People's Republic of China [PRC] and President Clinton.

Mr. Speaker, I firmly believe that we must closely examine our relationship with China. There are human rights violations and atrocities being committed in China that are too horrible to ignore. Innocent people are being persecuted because of their religious beliefs. Sadly, people who step outside the prescribed bounds are dealt with in a draconian manner—monasteries in Tibet are defamed and burned, Christians in Singapore are arrested, and religious dissidents throughout all of China are prohibited from expressing their beliefs.

In addition to religious persecution, China has exchanged high technology military hardware with rogue countries that threaten Middle East and Near East peace. China has knowingly sold precision cruise missiles to Iraq and continued to share nuclear secrets with North Korea, despite vehement opposition from the United States. China has routinely ignored intellectual property rights of individuals and corporations, allowing copyright pirates to market merchandise without paying the creators.

I am pleased that Congress will take up nine bills this week that will send a message to the Chinese Government. America is the beacon of democracy and freedom for the world. We have a moral obligation to stand up to those who dismiss the protection of human rights and those who refuse to protect and preserve the sanctity of life. We in Congress cannot sit here with the knowledge that innocent people are being targeted by an authoritarian and repressive regime. The failure of the U.S. Congress to act would send a message of appeasement and blindness to the Communist Government of China. We must stand up for our beliefs or we betray the ideals for which we were elected to champion. Mr. Speaker, it is my hope that Congress sees the value within the Policy for Freedom and passes these bills so that the people and Government of China know that we here in the United States are not going to turn a blind eye to actions of China.

On rollcall No. 579, an amendment to extend the congressional review period for licensing nuclear exports to China from 30 to

120 days and to provide for expedited procedures for consideration of a joint resolution of disapproval for any licensing, I would have voted "aye."

On rollcall No. 580, a bill to provide for improved monitoring of human rights violations in the Peoples Republic of China, I would have voted "aye."

On rollcall No. 581, a motion to table the motion to appeal the ruling of the Chair, I would have voted "aye."

On rollcall No. 582, a bill to provide for certain measures to increase monitoring of products of the People's Republic of China that are made with forced labor, I would have voted "aye."

On rollcall No. 583, a motion to table the measure, I would have voted "aye."

On rollcall No. 584, a motion to adjourn, I would have voted "aye."

THURSDAY, NOVEMBER 6, 1997

On rollcall No. 585, a motion to adjourn, I would have voted "nay."

On rollcall No. 586, a motion to adjourn, I would have voted "nay."

On rollcall No. 587, on ordering the previous question, I would have voted "aye."

On rollcall No. 588, a motion to table the motion to reconsider the vote, I would have voted "aye."

On rollcall No. 589, a rule waiving a requirement of clause 4(b) of rule XI with respect to consideration of certain resolutions reported from the Committee on Rules, I would have voted "aye."

On rollcall No. 590, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 591, a motion to adjourn, I would have voted "nay."

On rollcall No. 592, a bill urging the executive branch to take action regarding the acquisition by Iran of C-802 cruise missiles, I would have voted "aye."

On rollcall No. 593, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 594, a motion to adjourn, I would have voted "nay."

On rollcall No. 595, a bill to prohibit the use of United States funds to provide for the participation of certain Chinese officials in international conferences, programs, and activities and to provide that certain Chinese officials shall be ineligible to receive visas and excluded from admission to the United States, I would have voted "aye."

On rollcall No. 596, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 597, a motion to adjourn, I would have voted "nay."

On rollcall No. 598, a bill to condemn those officials of the Chinese Communist Party, the Government of the Peoples Republic of China, and other persons involved in the enforcement of forced abortions by preventing such persons from entering or remaining in the United States, I would have voted "aye."

On rollcall No. 599, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 600, a motion to adjourn, I would have voted "nay."

On rollcall No. 601, a bill to implement the provisions of the Taiwan Relations Act concerning the stability and security of Taiwan and United States cooperation with Taiwan on

the development and acquisition of defensive military articles, I would have voted "aye."

On rollcall No. 602, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 603, a motion to adjourn, I would have voted "nay."

On rollcall No. 604, a motion to appeal the ruling of the Chair, I would have voted "aye."

On rollcall No. 605, a bill to require the United States to oppose the making of concessional loans by international financial institutions to any entity in Peoples Republic of China, I would have voted "aye."

FRIDAY, NOVEMBER 7, 1997

On rollcall No. 606, a motion to adjourn, I would have voted "nay."

On rollcall No. 607, a bill to authorize appropriations for fiscal year 1998 for intelligence and intelligence related activities of the U.S. Government, the community management account, and the Central Intelligence Agency retirement and disability system, I would have voted "aye."

On rollcall No. 608, a motion that the Committee rise, I would have voted "nay."

On rollcall No. 609, a motion that the Committee rise, I would have voted "nay."

On rollcall No. 610, an amendment to strike provisions in the bill that identify specific priorities for charter school grant funding to states that meet certain requirements, I would have voted "nay."

On rollcall No. 611, a bill to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools, I would have voted "aye."

Mr. Speaker, Americans want charter schools. Why? Because charter schools work. They work because they allow parents, teachers and communities demand something new from students—academic excellence and discipline—without interference from Federal and State education bureaucracies.

Charter schools are gaining popularity across the Nation. Today, 30 States, the District of Columbia, and Puerto Rico have passed legislation allowing charter schools to open. This fall, nearly 700 schools are in operation, serving more than 170,000 students. Many more are waiting for State approval.

The charter schools movement is simple. First, under the charter school arrangement, parents and teachers are freed from the bureaucratic restrictions of traditional schools. Ideally, this means that the charter school is not bound to the State's codes for educational curriculum, personnel, scheduling, or financial administration. In other words, parents and teachers—not bureaucrats in the State capitol or Washington—are free to decide how to best to run their schools. In return, these new school entrepreneurs and held accountable for results, namely high student achievement.

Unfortunately, there are significant barriers between these innovative schools and success. The most daunting of these barriers require access to start-up capital flexible State laws that will encourage the establishment of charter schools. I believe that H.R. 2616, the Charter Schools Amendments Act of 1997, will help new charter schools overcome these barriers.

Specifically, this legislation will help improve the process of creating new charter schools in more States. For the first time, States will be given incentives to adopt stronger charter school laws. Under H.R. 2616, States that

give local school administrators a high degree of fiscal autonomy will be eligible to receive increased funding for their charter school programs. Additionally, these States must also agree to increase the number of charter schools allowed to open each year and provide for academic accountability. H.R. 2616, also ensures that charter school grant money actually gets to the classroom. Under the bill, at least 95 percent of Federal charter school funds go to the State and local level.

Mr. Speaker, the charter schools movement has grown out of the need and demand for parental and teacher control of public schools. With their wide acceptance from both educators and parents, charter schools can no longer be considered an experiment in education reform. They are the future of education reform. For this reason, I strongly support H.R. 2616.

On rollcall No. 612, a motion to table the motion to reconsider, I would have voted "aye."

On rollcall No. 613, a bill to ensure that commercial activities of the People's Liberation Army of China or any Communist Chinese military company in the United States are monitored and are subject to the authorities under the International Emergency Economic Powers Act, I would have voted "aye."

On rollcall No. 614, a bill making appropriations for the Departments of Labor, Health and Human Services, Education and related agencies for the fiscal year ending September 30, 1998, I would have voted "nay."

Mr. Speaker, I rise in opposition H.R. 2264. While this legislation does include critical Hyde amendment language that will prevent Federal funding of abortions through State managed health plans I am concerned about several provisions of the bill. I am also pleased that this bill did not include funding for the President's misguided national testing program, but did include \$20 million for charter schools. However, H.R. 2264 does include a \$5 million increase in title X funding a \$273 million increase from the President's budget request and \$5.7 billion more than the fiscal year 1997 bill, and finally an unacceptable compromise on needle exchange programs.

The original House version of H.R. 2264 contained a critical provision that would have banned Federal funding of needle exchange programs for drug abusers. In my opinion, Federal funds should not be used to encourage or support illegal drug abuse. Accordingly, I stand in opposition to the conference report.

SATURDAY, NOVEMBER 8, 1997

On rollcall No. 617, a bill disapproving the cancellations transmitted by the President on October 6, 1997, regarding military construction appropriations, I would have voted "aye."

On rollcall No. 618, a bill to reform, extend, and repeal certain agricultural research, extension, and education programs, and for other purposes, I would have voted "aye."

On rollcall No. 619, a bill to allow the Medal of Honor to be awarded to Robert R. Ingram of Jacksonville, FL, I would have voted "aye."

On rollcall No. 620, a bill to increase the child care credit for lower-income working parents, and for other purposes, I would have voted "aye."

On rollcall No. 621, a motion to adjourn, I would have voted "aye."

Mr. Speaker, I rise in support of House Resolution 122, the Tactile Currency for the Blind and Visually Impaired Act. I am an original co-

sponsor of this legislation, which encourages the Bureau of Engraving and Printing to make cost-effective design changes to this Nation's currency so that it will be better identifiable by the blind and visually impaired.

I strongly believe that it is important that the visually impaired in this country are given the opportunity to have a better chance at living independently by making their money more accessible to them.

Mr. Speaker, tactile marks will make an important difference in the lives of the visually impaired, including those individuals involved in programs offered by exceptional organizations like the Alabama Institute for the Blind and Deaf in Talladega, AL, and its associated programs within the Alabama School for the Blind, The Helen Keller School of Alabama, the E.H. Gentry Technical Facility, and the Alabama Industries for the Blind.

I urge my colleagues to join me in supporting the visually impaired because it is vitally important that every individual in this country is given an equal chance to live his or her life at the best of his or her capacity.

SUNDAY, NOVEMBER 9, 1997

On rollcall No. 622, a motion to table, I would have voted "aye."

TRIBUTE TO GEMILIA HALL HERRING AND RUTH HALL WILKERSON

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. THOMAS. Mr. Speaker, the African-American Network of Kern County hosted its seventh annual Community Awards Night on November 8, 1997, and selected several outstanding Kern County citizens in recognition of their lifelong efforts to improve the way of life that thousands of people, young and old, black and white, enjoy.

Gemilia Hall Herring and Ruth Hall Wilkerson are recipients of the African-American Network of Kern County's 1997 Historical Award. This award is given in recognition of the efforts of those who preserve and promote understanding of the history of the African-American pioneers of Bakersfield.

These two women, grandchildren of Mary and Willis Monroe Hall who were Kern County pioneers in 1884, have provided outstanding service to their community as founding members of the Allenworth Historical Park and Museum in Kern County. Named after Colonel Allenworth, who in the 1860's became the highest ranking black man in the U.S. Army, the park has for the past 22 years presented the historical significance of the African-Americans who came as pioneers to Kern County and those that followed in their footsteps.

Over the years, Gemilia Hall Herring and Ruth Hall Wilkerson have raised and loved families, but their love and respect for their heritage has been a bonus for all of us in Kern County. We thank them for giving of their talent and time to ensure that none of us forget the legacy that came before.

The women I honor here are leaders at home, but often through their quiet bearing, are not recognized. We salute them.

RECOGNIZING THE HONORABLE  
ARNOLD M. ALVAREZ-GLASMAN  
ON HIS RETIREMENT FROM THE  
MONTEBELLO CITY COUNCIL

**HON. ESTEBAN EDWARD TORRES**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. TORRES. Mr. Speaker, on Thursday, November 13, 1997, the Honorable Arnold M. Alvarez-Glasman, Montebello City Councilman will be recognized at a special dinner for his 12 years of exemplary service to the residents and businesses of the City of Montebello.

Councilman Alvarez-Glasman, or "Arnie" as he is affectionately known, will conclude his tenure on the Council later this month. First elected to the Council in 1985, he became the youngest Council member in Montebello's 77 year history. Two years later, when selected mayor, Arnie became the City's youngest mayor. He served as mayor on three different occasions, 1987-88, 1991-92 and 1995-96. Arnie has been a tireless advocate for Montebello's DARE education program, after-school child care facilities and the expansion of City facilities to accommodate the community's needs into the 21st century.

In addition to his duties on the Council, Arnie has participated in a variety of youth programs, from coaching little league to teaching high school students about California's legislative system. Having lived in Montebello for over 30 years, Arnie has actively participated in the Montebello Lions, Beverly Hospital Foundation, Montebello Junior Baseball Association, Don Bosco Technical Institute Alumni Association and the California YMCA Youth and Government, Model Legislature and Court Program.

Professionally, as a longtime and distinguished member of the California State Bar, Arnie serves as the City Attorney for the cities of Pomona and South Gate and also as the Agency General Counsel for the Redevelopment Agencies of both cities. He also has represented the cities of Los Angeles, Fullerton and Bradbury as special counsel in land use and related litigation matters. As a founding partner of the Montebello law firm, Alvarez-Glasman & Colvin, he has helped amass an impressive client list, including the cities of Pomona, South Gate, San Fernando, Los Angeles and Chino and the Redevelopment Agencies of Los Angeles, Pomona, Baldwin Park, San Bernardino and South Gate and the counties of Los Angeles, San Bernardino, Fresno, Del Norte, Alameda, Sierra, San Mateo, Kings, Sacramento, San Diego, Sonoma and Imperial.

In 1974, Arnie earned his Bachelor of Arts with Honors in Political Science from California State Polytechnic University at Pomona and in 1977, he graduated with his Juris Doctorate from Loyola University Law School of Los Angeles. Arnie and his lovely wife, Lydia, have two daughters, Shelly and Natalie.

Since 1993, I have had the high honor and distinct pleasure of representing the City of Montebello. During that time, Arnie and I have developed a close working relationship, dealing with and responding to the issues facing Montebello residents and businesses. For 12 years, Arnie's efforts on the Council have been inspired by the principle of selfless and dedicated service to our community. He is the

personification of a true public servant, one who has responded to the call of helping others and ensuring that the future is bright for our children and grandchildren.

As he retires from public office, I am confident that Arnie, however, will not retire from active participation in civic and community activities. Indeed, the residents and businesses of Montebello will not let him. Throughout my tenure in the Congress, I have enjoyed working with Arnie in his official capacity and I look forward to his continued counsel and guidance in the years ahead.

Mr. Speaker, I ask my colleagues to join me in saluting Councilman Arnold Alvarez-Glasman on his 12 years of devoted and selfless public service to the City of Montebello and in thanking him for a job well done. I also ask my colleagues to wish Councilman Alvarez-Glasman well in his future endeavors.

TRIBUTE TO D. KIRK OGLESBY

**HON. LINDSEY O. GRAHAM**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. GRAHAM. Mr. Speaker, I rise today to honor a dedicated individual from the Third District of South Carolina. Mr. D. Kirk Oglesby, Jr. has been devoted to the administrative medical profession for more than 40 years. His retirement from the Anderson Area Medical Center brings to a close a remarkable career, one that has greatly benefited the city of Anderson and surrounding communities.

Like many in the medical profession, Mr. Oglesby leaves behind a legacy of care and compassion.

Born in Gastonia, NC, Kirk graduated Phi Beta Kappa from Davidson College. From there, he attended Duke University and received his certificate in hospital administration.

Early in his career, Kirk Oglesby developed the family practice residency. This program which meets the primary care needs for many families in the Anderson area, has grown tremendously since its inception in the 1970's.

This year marks 30 years of service to the Anderson Area Medical Center. Throughout his tenure as president, Mr. Oglesby has witnessed the Anderson Area Medical Center change from a primary care hospital into a sophisticated health care system. It has been through his guidance that the hospital is committed to promoting healthy lifestyles among members of the community.

But Kirk Oglesby has served his community in many other ways. He has been a long standing member of the Rotary Club and the Chamber of Commerce. Students at the Clemson University College of Commerce and Industry and the College of Nursing have benefited from the time he has spent with them and his wealth of experience.

His distinguished work with the South Carolina Hospital Association and the American Hospital Association have benefited all Americans as these organizations have worked to make the health care system in the United States the greatest in the world. To his credit, the American Hospital Association bestowed on Kirk their Distinguished Service Award in 1997.

Because of his many achievements and great contributions to his State, in 1993 former

Governor Carroll Campbell awarded him South Carolina's highest civilian award, the Order of the Palmetto.

I am gratified to know that Kirk will stay in Anderson after his retirement and continue to serve his community for many years to come. His service to the people of Anderson and to the Third Congressional District will be both missed and admired for many years to come.

THANKING OUR VETERANS

**HON. MAX SANDLIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. SANDLIN. Mr. Speaker, I rise today to pay tribute to our country's veterans. In less than 2 weeks, most Americans will gather with friends and family to count their blessings and give thanks as we celebrate Thanksgiving. As Americans, we have a great deal to be thankful for: we are in a time of peace; we are living longer, healthier lives than ever before; we have a growing economy and the highest standard of living in the world; and we enjoy civil liberties and civil rights unequalled by any civilization in history. We have much to be thankful for, indeed. But Tuesday—Veterans Day—is also a day of thanksgiving.

November 11 has long been a day of tribute to those who bravely served our country in the Armed Forces, many of whom gave their lives to preserve the freedom we too often take for granted. In 1954, President Eisenhower pronounced November 11 "Veterans Day" to honor the veterans of all American conflicts. Previously, November 11 was known as Armistice Day, a reference to the November 11, 1918, armistice between the Allies and the Central Powers in World War I. For those who endured its horrors, World War I was called the war to end all wars.

Unfortunately, war has continued to be a part of our history, and the tragic list of heroes and heroines has continued to grow with each new conflict: World War II, Korea, Vietnam, and the gulf war. Even in peacetime, many servicemen and servicewomen have died while maintaining our military readiness. As Americans who enjoy freedoms unparalleled on this earth, we are deeply indebted to the more than 600,000 brave men and women who have paid liberty's supreme price in this century, not to mention those who gave their lives in the wars and conflicts of the two previous centuries in our Nation's history.

One way we can repay the debt owed our veterans is by honoring their sacrifice and recognizing that the bounties we enjoy today exist because of that sacrifice. Another is to honor our commitment to provide assistance to our veterans, particularly the disabled or elderly. Many veterans sacrificed opportunities for higher education to serve their country. Others sustained injuries that left them disabled for life. Still others were killed, leaving spouses and young children to fend for themselves. Veterans benefits, such as health care and housing assistance, are a small price to pay in exchange for the security of our way of life.

We can also pay tribute by teaching our children reverence. We should teach them the value of freedom and instill in them an appreciation for the terrible price that so many



Americans paid willingly and courageously. Our children, the future of our country, should know that the privilege of being an American is also a responsibility. Each of us is honor bound to uphold the principles of democracy and the liberties born of a government that is run by the people and for the people. They should know that we enjoy these freedoms only because we have been willing to fight for them, and that they, too, could face the terrible reality of war in their lifetimes. Most importantly, they should know that the peace bought by the lives of so many of our veterans should not be squandered, but nurtured so that it may flourish for generations to come.

On Tuesday, in cities and towns across the country, there will be parades, speeches, and memorial services honoring the memories of veterans—our friends and relatives who press on our country. As we participate in these events, let us remember to tell our children that, like the appreciation we express on Thanksgiving Day, the appreciation we express on Veterans Day should not end when the clock strikes midnight. Our thanks and appreciation should continue each day, because we have much for which to be thankful, and many veterans to thank.

HONORING THADDEUS "TED"  
MUSIALKIEWICZ

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. HINCHEY. Mr. Speaker, I would like to take this opportunity to recognize a man who has devoted his life to serving the community of New York's Ulster County.

Thaddeus "Ted" Musialkiewicz began his involvement in local activities at a very young age. From organizing youth athletic teams to founding and serving as scoutmaster in a local Boy Scout troop, Ted took a keen interest in the lives of those around him. He truly enjoyed being involved with his neighbors, and, Mr. Speaker, that feeling was reciprocated.

While devoting a great deal of his time to community groups, Ted managed to establish himself as a successful businessman and craftsman. He was eventually named president of the Town of Ulster's Business Association where his capable leadership helped to guide local businesses to prosperity.

Outside of his proficient professional career and generous community service, Ted selflessly entered into the civic arena by serving as both councilman and supervisor for the Town of Ulster. Once again, he used this leadership opportunity to promote a better standard of living for all of those around him. His outstanding accomplishments in this capacity are epitomized by his efforts in opening the Town of Ulster Public Library. This building, which continues to serve the Ulster community, will forever be a lasting legacy to Ted's selfless work on behalf of his peers.

Although Ted was constantly busy with one project or another, he found the time to maintain strong ties to his ethnic community. In characteristic fashion, he was, and remains today, extraordinarily active in the White Eagle Benevolent Society, working to preserve Polish-American values and promote the academic success of Polish-American students.

Mr. Speaker, I want to join my friends in the White Eagle Benevolent Society in honoring Thaddeus Musialkiewicz for his charitable service to his community and tireless commitment to elevating those around him. I am proud to call Ted my friend and wish him and his family well.

H.R. 2616, THE CHARTER SCHOOL  
AMENDMENTS ACT OF 1997

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, November 4, 1997*

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 2616) to amend titles VI and X of the Elementary and Secondary Education Act of 1965 to improve and expand charter schools:

Mrs. MINK of Hawaii. Mr. Chairman, I rise today in opposition to H.R. 2616, the Charter Schools Amendments Act of 1997. This bill which purports to expand charter school funding in fact limits Federal funding opportunities for charter school projects in many States that do not meet the prescriptive "priorities" set forth in this bill.

Under H.R. 2616 half of the funding and eventually all of it will be given only to those States with laws which promote charter schools to the greatest extent. In order to be considered for funding, State laws must meet the following criteria: (1) encourage the highest degree of flexibility for charter schools; (2) allow for the increase of charter schools each year, and (3) require a periodic review and evaluation. Those States which do not meet these criteria, including my State, will actually find it more difficult to qualify for Federal funds than under the current system.

States will be forced to change their State charter schools laws to specifically in order to tap into Federal resources.

It is simply inconceivable to me that this bill was crafted by the same Republican Majority which harangues about local control of education day in and day out in this Congress. This bill flies directly in the face of local control, by unabashedly attempting to influence State law to encourage the highest degree of flexibility within their charter schools and increase charter schools at a rapid pace.

As a supporter of real local control over our education system, I cannot support this bill.

The supporters of this bill have offered no evidence that there are any problems with the Federal charter schools grant program as it currently exists. This bill simply seeks to reward states that pursue the most aggressive and radical approach to charter schools.

This I believe is a serious mistake. Charter schools are a fairly new type of player in our education system. States and school districts should be free to experiment and implement this new type of school. However, the role of the Federal Government should not be to encourage one type of reform over another.

Furthermore, studies are mixed at best as to whether charter schools improve academic performance. Many serious problems have been raised in those States which have proceeded rapidly in establishing charter schools, including problems involving discrimination,

accountability of public dollars, fiscal stability, and services to children with disabilities.

The current Federal charter school program provides for an evaluation and assessment of charter schools. This will be a helpful study for school districts and States in determining whether charter schools are improving academic achievement and improving the overall school system. It is premature and unwise to make these significant changes to the Federal charter school program without the benefit of the national evaluation.

Mr. Speaker, this legislation will hinder efforts in my State to move forward on charter schools at their own pace, taking into consideration local issues that arise with respect to moving forward on charter schools. This is an unfair bill that borders on real intrusion in local education efforts, I urge my colleagues to vote against it.

INDIAN GOVERNMENT PROMOTES  
TERRORISM TO UNDERMINE  
NATIONALISM AMONG OPPRESSED  
MINORITIES

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. BURTON of Indiana. Mr. Speaker, I have recently been made aware of more examples of how the Government of India promotes acts of terrorism to discredit legitimate nationalism among the people of Punjab, Khalistan, Christian Nagaland, Kashmir, Manipur, and the other minority nations that India occupies.

Rodney Redden is an Australian tourist who was seriously wounded in a train bombing that occurred on October 2, 1997, near Delhi, India. As you know, the Indian authorities have blamed this bombing on a Sikh militant organization called Shaheed Khalsa, which probably does not even exist. Even the state-controlled Indian press reported that no one had ever heard of this organization until it suddenly emerged to claim responsibility for this bombing.

Another example of India's violent efforts to undermine nationalist movements is the recent slaughter of innocent bus passengers near Jaluki, Nagaland. The passengers belonged to the Kuki ethnic minority. Although this tragic incident serves the useful purposes of dividing Manipur, and discrediting the freedom movement in neighboring Nagaland, all at the same time. Both States are struggling for their freedom from Indian rule. Both have been subjected to mass murders at the hands of the Indian Government. For years, these two peoples have lived together peacefully. Why should one suddenly decide to destroy the other? Apparently, the central government is funneling money to violent elements on both sides.

In the eyes of the Indian Government, there is no such thing as a peaceful advocate for Khalistan, a peaceful advocate for a free Kashmir, a peaceful advocate for an independent Nagaland, or a peaceful advocate for the freedom and national self-determination of any of the captive nations of South Asia. To India, they simply do not exist.

Well, I know two advocates for freedom from the subcontinent. One is Dr. Gurmit

Singh Aulakh, president of the Council of Khalistan. Another is Dr. Ghulam Nabi Fai of the Kashmiri American Council. These two gentlemen do not advocate violence. They advocate peaceful, Democratic, nonviolent struggle for the freedom of their homelands, Khalistan and Kashmir. Yet, according to the Indian regime, they are terrorists.

Mr. Speaker, the people of America and the world, and the fair-minded, thinking Members of this Congress know better. The truth was revealed 3 years ago when the Indian newspaper *Hitvada* reported that the Indian regime paid the late Governor of Punjab, Surendra Nath, the equivalent of \$1.5 billion to create and then support covert state-sponsored terrorism, not only in Punjab, Khalistan, but in neighboring Kashmir as well. Yes, the country that is one of the five largest recipients of United States aid, the country that calls itself "the world's largest democracy," paid a public official \$1.5 billion to foment terrorism so that it could pit the freedom-loving people of Punjab, Khalistan, and Kashmir against each other. In view of this violent, divide-and-conquer tactic, I would ask the obvious question: Who are the real terrorists here? Clearly the real terrorist organization is the Government of India.

Mr. Speaker, there is no reason why the hard-working taxpayers of this country should be forced to support this brutal terrorist regime. We should cut off all aid to India, declare it a terrorist nation, and embrace the freedom movements in Khalistan, Kashmir, Nagaland, Manipur, Assam, and throughout the occupied, oppressed nations of South Asia.

#### TRIBUTE TO JOSEPHINE TRIPLETT

#### HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. THOMAS. Mr. Speaker, the African-American Network of Kern County hosted its seventh annual Community Awards Night on November 8, 1997 and selected several outstanding Kern County citizens in recognition of their lifelong efforts to improve the way of life that thousands of people, young and old, black and white enjoy.

The recipient of this year's Frederick Douglass Leadership Award is Mrs. Josephine Triplett, a friend and associate from our days together at Bakerfield College. Josephine Triplett is the recipient of an award named after an American hero who believed in freedom for all people in America, who helped Harriet Beecher Stowe establish an industrial school for young people, who after meeting with President Lincoln during the Civil War built two regiments of black soldiers including his two sons, and who supported voting rights for women.

Josephine Triplett's worthiness of the Frederick Douglass Leadership Award can be found in his writings when he said: "The whole history of progress of human liberty shows that if there is no struggle, there is no progress. Those who profess to favor freedom and yet deprecate agitation, are men who want crops without plowing up the ground; want rain without thunder and lightning; want the ocean without the awful roar of its many

waters." Josephine Triplett is an agitator, a quiet one perhaps, but she manifests a clear commitment to children, to women, to those in need. As a professor of child development at Bakerfield College, she has been an advocate for infant nutrition and early childhood instruction. She works tirelessly at training college students to pursue these same goals as they go beyond the academic degree. The care and concern she has for others are obvious from the moment her warm personality and ready smile are in your presence.

Josephine Triplett has a distinguished record with the Martin Luther King, Jr. Center as well as serving as the curator of the Allenworth State Historic Park. She has assisted with the Southern California Association for the Education of Young Children and has many, many more worthy organizations that she lends her time and commitment and seemingly limitless energy.

Josephine Triplett is one of those Americans who is a leader at home, but often through quiet bearing, is not recognized. We salute her.

#### RECOGNIZING THE MEXICAN AMERICAN GROCERS ASSOCIATION FOUNDATION ON ITS 20TH ANNIVERSARY CELEBRATION

#### HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. TORRES. Mr. Speaker, this year marks the 20th anniversary of the Mexican American Grocers Association Foundation [MAGAF], a scholarship foundation which has awarded over \$1,000,000 to students attending junior colleges and public and private colleges and universities throughout the country.

MAGAF is the brainchild of the Mexican American Grocers Association [MAGA]. MAGA is a nationally recognized advocacy and trade organization, representing the interests of retailers, vendors and others involved in the grocery industry. It was this intimate involvement in and knowledge of the grocery industry which led MAGA's board of directors to found MAGAF. For the past 20 years, MAGAF has provided the financial resources for disadvantaged, deserving students of Mexican/Latino heritage to pursue college degrees in business administration or business-related fields. It is MAGAF's hope that these young scholars, upon graduation, will seek careers within the grocery industry.

MAGAF was established on the premise that private industry has a responsibility to return to the community some of what it has earned. In its tireless dedication to provide needed financial resources to college students, MAGAF also has gained the strong support of others in the grocery industry. Each summer and fall, the giants of the grocery industry attend annual fundraisers to support MAGAF's efforts. It is this cooperative relationship and commitment which has enhanced the diversity of the executives and business owners currently working in the grocery industry.

I am proud to be a longtime supporter of MAGAF. It is a commendable endeavor which provides needed resources to promising college students and its help ensures, upon their graduation, that the grocery industry has a

prospective workforce that is diverse and well educated. Because of MAGAF's efforts, today, highly qualified and educated Mexican/Latinos fill positions in the sales, merchandising and marketing segments of the grocery industry.

Mr. Speaker, I ask my colleagues to join me in congratulating the Mexican American Grocers Association Foundation on its 20th anniversary of providing financial assistance to our community's college bound students and to wish it well in its future endeavors.

#### FREE LEYLA ZANA

#### HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. FILNER. Mr. Speaker, as I speak here tonight, members of the Kurdish community are conducting a vigil for peace and a hunger strike to spotlight the continuing oppression of the Kurdish people. I rise tonight for one simple reason: to express my solidarity with the hunger strikers and my support for the Kurdish people's struggle for freedom, justice—and self-determination. The symbol of that struggle is a fellow democratically elected representative, the imprisoned Kurdish leader, Leyla Zana.

In Turkey today, Mr. Speaker, innocent Kurdish civilians are being massacred, entire Kurdish villages are being destroyed, and millions of Kurds are forced from their homes, forced to the cities where unemployment and inflation are extremely high. The entire region of southeastern Turkey has been ravaged—it has become an economic and humanitarian disaster area. This is simply unacceptable. This is a cause for alarm for a country that uses American arms to commit such crimes. United States-made weapons should never again be used against the Kurds or against anybody else, as they were at the ancient Kurdish city of Halabja, where over 5,000 Kurdish civilians, mostly women and children, were gassed to death. Never again.

Leyla Zana has committed her life's work to pursuing a peaceful and just resolution to the enduring Kurdish question. I hope my colleagues will learn her story—an incredible story of self-education, political growth, heroism and courage.

The Turkish Government feared Leyla Zana was progressing too far in her endeavors for peace and now she shares a prison cell with a convicted murderer. But they cannot imprison her picture, her words, her courage, and her inspiring story.

An initiative has been undertaken in the U.S. House of Representatives in pursuit of Leyla Zana's freedom. I, and 143 of my colleagues in Congress have signed a letter to President Clinton urging him to seek Leyla Zana's immediate and unconditional release from prison. More Members of Congress are standing with Leyla Zana and the Kurdish people now than ever before. Without a doubt, the U.S. Congress is becoming more aware of, and more sympathetic to, the plight of the Kurdish people.

Kurds in Iran, Iraq, Syria, as well as Turkey live as second class citizens, denied the basic human rights of life, liberty, and the pursuit of happiness. Because of the inspiring work of Leyla Zana and thousands of others, the oppression of the Kurdish minority will someday

come to an end. To achieve this result, it is far better to use peaceful measures and end the longstanding violence. Thus, we must embrace Leyla Zana for risking her life for the Kurdish people, not through violence, but through peaceful and democratic activism.

So, Mr. Speaker, I salute those who are fasting today in support of the freedom of Leyla Zana. And I say to the Government of Turkey: in the name of humanity, free Leyla Zana.

THE COMMUNITY EMPLOYMENT  
PARTNERSHIP ACT OF 1997

**HON. NANCY L. JOHNSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. JOHNSON of Connecticut. Mr. Speaker, today my colleague, NITA LOWEY and I are introducing the Community Employment Partnership Act [CEPA] which is designed to encourage the not-for-profit community to increase their participation in the national initiative to move more than 2 million Americans from welfare dependency into productive work. Through CEPA, not-for-profit employers, for the first time, will be allowed to participate in the work opportunity tax credit hiring incentives that are currently available to for-profit companies which hire entry-level workers.

During the last Congress, when we enacted welfare reform, we embarked on a bold new initiative to move millions of able-bodied welfare recipients into the work force. At the time we understood this new initiative, many of us realized that if the private sector were to provide jobs for those leaving the welfare rolls, they would need an incentive to offset the added costs of hiring, training, and retaining a category of people who face significant obstacles to succeeding in the workplace. These obstacles include problems with minimal job skills, low self-esteem, and little, if any, work history. In order to encourage for-profit employers to hire welfare recipients, I strongly supported the enactment of the work opportunity tax credit which is designed to offset the added costs involved.

Unfortunately, at that time, we did not develop a mechanism for extending these hiring tax incentives to the nonprofit community. In many cases, the largest employers in inner-city and rural communities, where most welfare recipients reside, are nonprofits such as hospitals, universities, museums, and community-based organizations. That they are not eligible is ironic since many nonprofit employers view as part of their primary mission service to those on welfare. As a result, nonprofits are often more acclimated to working with hard-to-employ individuals than their for-profit brethren. Another advantage of making not-for-profit employers eligible for WOTC is that they often provide full-time jobs with a career path, and generally offer their employees benefits.

In addition, numerous stories have come to light regarding the time and financial burden faced by welfare recipients who must travel long distances from their homes in the inner city or in rural America to the suburbs where most new jobs are becoming available. For the welfare recipient, who generally does not have a car, this means long and costly trips on public or privately organized transportation.

The long hours that newly employed welfare recipient must be away from home requires them to string together unreliable and often expensive day care arrangements, including relying on family members, friends, and day care centers. Allowing not-for-profit organizations eligibility for tax credits would, for those recipients able to find employment in their communities, significantly reduce the travel burden and in turn, help to reduce the critical day care problems faced by those hoping to move from welfare to work.

Despite the ideal match between the mission, location, and type of jobs offered by not-for-profits, they have not participated in the welfare to work initiative to the extent we would like because insufficient resources have been made available to them to help offset the added costs involved in hiring those on welfare. CEPA would help to overcome this obstacle by reducing the largest tax burden faced by not-for-profits—the payroll tax—by allowing them to offset their total Federal payroll tax burden by any work opportunity tax credits earned for hiring an eligible worker. The Community Employment Partnership Act would: Track the existing eligibility standards for the work opportunity tax credit; and provide not-for-profits with a graduated tax credit against their total Federal payroll taxes of 20 percent versus 25 percent under WOTC from the date of hire for the first \$6,000 in wages paid an eligible worker by a not-for-profit for those who work at least 120 hours and to up 399 hours; and 30 percent versus 40 percent under WOTC from the date of hire for the first \$6,000 in wages paid an eligible worker by a not-for-profit for those who work at least 400 hours.

The reduction in the credit amounts equalize the value of the credit between nonprofit employers and for-profit employers. This is because under WOTC, the amount of the employer's wage deduction is reduced by the amount of the credit which has the effect of reducing the value of the tax incentive to the for-profit employer.

The credits would be taken against a not-for-profit employer's quarterly payroll tax liability.

A payment to the Social Security trust fund would continue to be treated as having been made on the date it is ordinarily made.

Both Congresswoman LOWEY and I strongly believe that the enactment of the Community Employment Partnership Act is important if we are to enlist the not-for-profit community into providing good jobs to the millions of Americans who will be coming off the welfare rolls in the coming years.

INTRODUCTION OF THE  
BROWNFIELDS RECLAMATION  
ACT OF 1997

**HON. LOUIS STOKES**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. STOKES. Mr. Speaker, I rise to introduce the Brownfields Reclamation Act of 1997. This bill is good for the American people and good for the country.

The Brownfields Reclamation Act of 1997 creates jobs, improves the health and safety of the American people, promotes economic development, and cleans up the environment.

One of the most critical environmental and economic problems facing our Nation's cities and rural communities today is the tremendous difficulty in redeveloping abandoned industrial and/or commercial sites and properties, due to many years of environmental contamination.

Not only have we found cleanup costs to be high, the potential liabilities for past contamination discourage prospective purchasers and developers from investing in the renewal of abandoned urban and rural properties. This compounding situation contributes dramatically to joblessness and poverty across the Nation.

As such, contaminated properties also end up contributing to suburban sprawl, compromised health and safety, and exacerbation of the problems associated with job loss, frustration, despair, and poverty in rural and urban America. This national concern has come to be known as the "Brownfields problem."

Mr. Speaker, my legislation, the Brownfields Reclamation Act of 1997 will enhance efforts of State and local jurisdictions to improve their physical environments. It will reduce the public health risks from exposure to contaminated sites. And, it will promote economic development and growth by increasing business and employment opportunities.

Mr. Speaker, while we still have a long way to go with regard to restoring neighborhoods and communities, the Brownfields Reclamation Act of 1997 represents a giant step forward in the revitalization of our cities and rural areas that have been adversely impacted by contaminated sites and related properties.

This bill reaffirms our Nation's commitment to revitalized communities across this country. I look forward to working with my colleagues, the administration, community organizations, and others to ensure that this critical legislation, the Brownfields Reclamation Act, is enacted into law.

IN HONOR OF KENNETH  
BLOOMHORST FOR HIS ENDUR-  
ING SYMBOL OF ENVIRON-  
MENTAL PROTECTION

**HON. GEORGE MILLER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. MILLER of California. Mr. Speaker, it is my honor to rise today to pay tribute to Kenneth Bloomhorst for his contribution to environmental protection in this country. Mr. Bloomhorst has the distinction of having created the symbol that represents the U.S. Environmental Protection Agency.

Created over 25 years ago, his work remains the symbol for the Agency that is recognized around the country and in many parts of the world for the protection of the environment and our Nation's health. Mr. Bloomhorst, who was vice president and art director for an Indianapolis advertising agency, MWB, Inc., illustrated the seal and his firm contributed it to the EPA.

On October 18, 1971, then President Richard Nixon signed Executive Order No. 11628 to establish a seal for the EPA and provided the following description of Mr. Bloomhorst's creation.

"A flower with a bloom which is symbolic of all the elements of the environment. The

bloom is a sphere, the component parts of which represent the blue sky, green earth, blue-green water. A white circle within the sphere denotes either the sun or the moon. All are symbolic of a clean environment and are superimposed on a disc with a white background, circled by the title 'UNITED STATES ENVIRONMENTAL PROTECTION AGENCY' in blue letters."

Mr. Bloomhorst, in an interview with the Fairborn Daily Herald in November 1971, said, "The symbol at a quick glance represents a flower, but it means even more when inspected closely. The flower is like the mother earth. If it is not protected, it will wither and die. The purpose of the EPA is to keep the environment clean, alive and beautiful."

Symbols are important in our society, just as are our actions. Mr. Bloomhorst's seal was created at the dawn of the American environmental movement. Today, a quarter century later, environmental protection remains one of Americans' most important values. Yet too often, this value has been portrayed as in conflict with other values, such as economic growth and job creation even though it has been shown time and again that environmental protection and economic growth can, and I would argue must, go hand in hand to guarantee a sustainable future for ourselves, our children, and the many generations to come.

The test for our society as we enter the next century is to preserve the value that Mr. Bloomhorst portrayed in the EPA seal and to integrate this value of environmental protection into the activities of all Americans and into the policies of our Government. Without the work of the EPA and the environmental laws that it has overseen, such as the Clean Water Act and the Clean Air Act, America would be a far more dangerous and unhealthy place than it is today. Those who have tried to undermine this agency on behalf of shortsighted, narrow interests have learned that the environment remains a perilous political battleground.

Mr. Bloomhorst today continues to be an illustrator with an interest in the environment. As environmental protection has been such an important focus in current events, I believed it was important to rise today to congratulate Mr. Bloomhorst for seeing his seal become a permanent fixture in our country's landscape and to thank him for his important contribution to our history.

#### THE BANK EXAMINATION REPORT PROTECTION ACT OF 1997

**HON. BILL MCCOLLUM**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. MCCOLLUM. Mr. Speaker, I rise today in support of legislation I am introducing, the Bank Examination Report Protection Act [BERPA] of 1997. This bill would establish that all confidential supervisory information shall be the property of the Federal banking agency that created or requested the information and shall be privileged from disclosure to any other person. The Federal banking agency may waive this privilege at its discretion. There are other appropriate exceptions in the bill, such as for the Comptroller General of the United States and for law enforcement.

Essentially, the issue of privilege is one that must be addressed. The fact that financial institutions may lose their privilege on information turned over to a regulator has made them more hesitant to share all relevant information with their regulators. This, in turn, makes it more difficult for the regulators to do a thorough job in their examinations of the institutions.

In fact, this legislation is strongly supported by all the affected Federal banking regulators. I would like to introduce into the record the letter that they have forwarded to me supporting this legislation. It is signed by: Alan Greenspan, Chairman of Board of Governors of the Federal Reserve System, Eugene A. Ludwig, Comptroller of the Currency, Norman E. D'Amours, Chairman of the National Credit Union Administration, Nicolas P. Retsinas, Director of the Office of Thrift Supervision, and Andrew C. Hove, Chairman of the Federal Deposit Insurance Corporation.

I would like to make sure my colleagues are aware that this legislation would maintain existing privileges and protect any materials created by the regulators. This would not prevent litigants from discovering the underlying facts of any action. All nonprivileged sources would still be available in discovery. This would simply ensure that examination materials—the critically important function of which is facilitate free-flowing communication between the examiner and the institution to maximize the effectiveness of the supervisory process—are not turned into a weapon against the regulated financial institution.

BERPA would ensure that the safety and soundness of our institutions is maintained through a vigorous and thorough supervisory process. This process is not complete when institutions are not forthcoming with information for fear of having information that was at one time privileged suddenly become subject to subpoena. Therefore, not only does this help the supervisory process, but also the consumers and taxpayers that insure these institutions. I urge my colleagues to support this legislation.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, FEDERAL DEPOSIT INSURANCE CORPORATION, NATIONAL CREDIT UNION ADMINISTRATION, OFFICE OF THE COMPTROLLER OF THE CURRENCY, OFFICE OF THRIFT SUPERVISION,

*September 17, 1997.*

Hon. BILL MCCOLLUM,

*U.S. House of Representatives, Washington, DC.*

DEAR CONGRESSMAN MCCOLLUM: Thank you for requesting our comments on the draft Bank Examination Report Protection Act of 1997. The Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, and the National Credit Union Administration (Agencies) support the proposed legislation because it will help protect the integrity of the examination process.

First, the legislation will help preserve the cooperative, non-adversarial exchange of information by supervised institutions with their examiners and the candid internal analysis of examiners, by codifying and strengthening the examination privilege. Second, the proposed legislation will enforce existing, nationwide uniform procedures for handling and accessing supervisory information requiring third party litigants to seek supervisory information directly from the

Agencies and not indirectly from the supervised institutions. Third, the proposed legislation will resolve the supervised institutions' concerns that their privileges will be waived if they voluntarily permit the Agencies to have access to privileged information that is otherwise essential to an examiner's assessment of safety and soundness. We believe that the proposed legislation favorably resolves many of the unsettled issues regarding the handling of and access to supervisory information, while preserving a process, including judicial review, by which third parties may seek access to supervisory information. Indeed, the Agencies will continue to seek to accommodate the reasonable requests of third party litigants and to release information in appropriate circumstances.

We hope this responds fully to your request. If we may be of any further assistance, please do not hesitate to contact our respective Agencies.

Sincerely,

EUGENE A. LUDWIG,  
Comptroller, Office  
of the Comptroller  
of the Currency.

ANDREW C. HOVE,  
Chairman, Federal  
Deposit Insurance  
Corporation.

ALAN GREENSPAN,  
Chairman, Board  
of Governors of the  
Federal Reserve  
System.

NICOLAS P. RETSINAS,  
Director, Office of  
Thrift Supervision.

NORMAN E. D'AMOURS,  
Chairman, National  
Credit Union Administration.

#### HONORING JOSEPH WASSER

**HON. MAURICE D. HINCHEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. HINCHEY. Mr. Speaker, I would like to take just a moment to congratulate Joe Wasser upon his retirement at the end of this year. Joe has served as Sheriff of Sullivan County up in my district for the past 20 years. But that alone far from captures the breadth and depth of his service to the public. Joe has served as a wonderful role model to us all by being not only a very fine public servant but also a plain old-fashioned good citizen. Joe's many achievements truly are too numerous to mention, but with this session of Congress winding to a close I just wanted to say congratulations to him and wish him many more years of happiness and good health.

#### THE PARENTS AND TEACHERS KNOW BEST ACT

**HON. LINDSEY O. GRAHAM**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. GRAHAM. Mr. Speaker, I am introducing legislation today, the Parents and Teachers Know Best Act, that would send funds currently appropriated to the Goals 2000 Program directly to every local school district in the Nation with few strings attached.

All Members of Congress care about our Nation's children. We all want to see America's education system work better, our children obtain the best education they can and succeed to the best of their abilities.

But our debate over Federal policy is not about who cares more, but how to effectively improve education in America.

Goals 2000 is a Federal program where the Department of Education administers and monitors national education standards. The establishment of this program was the beginning of the Clinton administration's strategy to substantially increase the role of the Federal Government in our local schools. It is the hallmark of the Clinton administration's attempt to transfer authority to run our country's schools from local communities to Washington.

While this administration failed to nationalize our Nation's health care system, they are trying through a slow, step-by-step process to federalize our Nation's schools. For example, as part of this process, the Clinton administration and the Department of Education are continuing to pursue, without congressional authorization and in direct contravention of current law, their proposal for a system of national testing. These national tests will clearly and quickly lead to a national curriculum designed by favored interest groups and Federal bureaucrats.

My legislation begins an effort to roll back the rising tide of nationalization and federalization. This bill will significantly reduce the Federal role in determining standards but will maintain the funding. It cuts the layers of bureaucracy and red tape that bog down our goal of improving our children's education. It requires money go directly to every school district in America with few strings attached.

The Goals 2000 Program has done little, if anything, to improve the performance of America's students in the classroom. Indeed, by taking money that could best be used by a teacher in a classroom and giving it to a bureaucrat, this program has prevented local school districts from using their tax dollars to improve schools.

According to the National Center for Education Statistics, Federal spending for education was estimated to be \$100.5 billion in fiscal year 1997, an increase of \$37.7 billion, or 60 percent, since fiscal year 1990. Even after adjusting for inflation, Federal support for education increased 31 percent. We certainly have not seen a 31-percent improvement in our education system. We are spending enough money, but we are spending it in the wrong ways.

My bill will abolish the increasingly intrusive role of the Federal Government in education and give educators at the local level the freedom they need to educate students in a way that meets the unique needs of their community. I believe decisions about education should be left up to local communities, principals, teachers and parents.

Because of this growing Federal interference, State and local governments are spending too little money in the classroom, and too much money on bureaucracy. According to the Digest of Education Statistics, in 1993 only \$141 billion out of \$265 billion spent on elementary and secondary education was spent on instruction. The National Center for Education Statistics pointed out that in 1994 only 52 percent of staff employed in public elementary and secondary school systems were

teachers. These statistics clearly demonstrate the need to get more funding into the classroom.

This legislation also promotes accountability in education. By giving the control of these funds to local school boards, parents can hold local leaders accountable. If parents are unsatisfied with the performance of their schools, they can vote their school board officials out of office. Parents can't vote a nameless, faceless Federal bureaucrat out of their office.

Some have characterized Goals 2000 as a voluntary program. Supposedly, States can receive grant money from the program without any direction or coercion. To believe the Federal bureaucracy, whether overseen by a liberal or conservative administration, would not try to mandate and control education programs through national standards, or leave their imprint on how the money is spent is, at best, naive.

Since the inception of the U.S. Department of Education in 1979, its budget has doubled to over \$32 billion. Now, 50 percent of all mandates regarding how to educate children emanate from Washington. However, they only provide 6 percent of the money. Test scores remain low, dropout rates are stagnant, and, overall, the Nation's education system is lagging behind other industrialized countries.

The Parents and Teachers Know Best Act will encourage parental involvement in education, as well as empower teachers and local school board officials to establish or continue education programs that meet the unique needs of their community.

My goal is to put the money in the hands of those who know our children's names, those who know how to educate our children best—parents, teachers and locally elected school board officials. At the end of the day, if we are not able to educate our children locally, then no amount of Washington benevolence will save us.

#### TRIBUTE TO DR. JOSEPH ANDERSON, JR.

#### HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. THOMAS. Mr. Speaker, the African-American Network of Kern County hosted its seventh annual community awards night on November 8, 1997, and selected several outstanding Kern County citizens in recognition of their lifelong efforts to improve the way of life that thousands of people, young and old, black and white enjoy.

Dr. Joseph Anderson, Jr. is the recipient of the African-American Network of Kern County's Humanitarian Award for 1997. A humanitarian is an individual who through personal effort has contributed with excellence to the community as a whole and this speaks directly to the life and career of Dr. Anderson.

An internal and pulmonary physician since the 1960's, Dr. Joseph Anderson has practiced medicine during 40 years of tremendous growth in technology and research in health care. He can look back knowing that the decision he made to go into medicine came at the moment in history that medicine started its most significant advances in the history of mankind.

While maintaining an active practice, Dr. Anderson gave of his time to the people of Kern County through dozens of service organizations, including those promoting the appreciation of music, young people, the environment, health care, and religion.

Dr. Anderson can proudly look back at his life and know he is seen as a great humanitarian because of the thousands of people who have a better physical and mental outlook on life due his efforts.

Dr. Anderson is one of those Americans who is a leader at home, but often through quiet bearing, is not recognized. We salute him.

#### INTRODUCTION OF THE CHILD ABUSE AND PREVENTION EN- FORCEMENT ACT

#### HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. PRYCE of Ohio. Mr. Speaker, today, I, along with Representative TOM EWING of Illinois and Representative JIM GREENWOOD of Pennsylvania, introduced the Child Abuse Prevention and Enforcement Act, CAPE Act. This bill builds upon the foundation of the Child Abuse and Neglect Enforcement Act [CANEA], which was introduced by my close friend, and former colleague, Susan Molinari.

As the mother of a wonderful young child, it breaks my heart to know that nearly 2,000 children die each year of abuse and neglect. In 1 recent year alone, there were 992,617 substantiated cases of child abuse and neglect in our country. As a Federal legislator, I believe we must continue marshaling our Federal resources in a way that helps State and local officials in their fight against child abuse and their efforts to help the innocent victims of such abuse.

The CAPE Act contains a number of important provisions designed to assist State and local law enforcement and child protective services workers in fighting child abuse and providing assistance to the innocent victims.

First, the bill helps States provide access to criminal conviction records by child protective and child welfare workers. This will help such workers identify whether troubled children may be victims of abuse at the hands of adult caregivers.

Second, the bill helps States provide law enforcement instant and timely access to court child custody, visitation, protection, guardianship, or stay away orders. This will help police establish the validity of urgent complaints that children have been snatched by an abusive ex-spouse, so that such complaints can be pursued in a timely manner, particularly when courthouses are closed. This provision addresses a very real problem which was brought to my attention by the Ohio State attorney general Betty Montgomery.

Third, this bill allows major Federal law enforcement grant funds to be used by State and local police for enforcement of child abuse and neglect law. This adds an additional \$500 million which may be used in the fight against child abuse and neglect.

Fourth, the bill doubles the amount of Federal funding to States which may be used for victims of child abuse. This will significantly increase funding for things such as training for

child protective workers, child advocacy centers, and support for court-appointed special advocates.

In addition, I, and the other sponsors of the bill, will request that the General Accounting Office study the amount of documents required under the Child Abuse Prevention and Treatment Act and other Federal laws related to child abuse and make recommendations on reducing the number of paperwork requirements. This is the first step which the sponsors are taking towards reducing the paperwork required of child welfare workers, so that they will be able to spend more time working with children they serve.

We must never give up the fight to protect our Nation's children from abuse and neglect. While I do not believe the CAPE Act will end child abuse, it would provide a another arrow in the quiver to be used in the fight.

#### RETIREMENT OF JERRY B. HEDRICK, JR.

#### HON. KAREN MCCARTHY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today to recognize and honor a respected leader in the health care industry and a friend, Jerry B. Hedrick, Jr. He has tirelessly contributed his insight and guidance to positively effect the public policies of health care companies in our country. He is retiring after 22 years of service to the pharmaceutical industry culminating as vice president, government affairs of Hoechst Marion Roussel.

Mr. Hedrick joined Marion Laboratories, a predecessor company to Marion Merrell Dow, Inc. and Hoechst Marion Roussel, in 1975 as a consultant. In 1976 he was named manager of special projects and administration and in 1983 advanced to director of state government affairs. He assumed the position of vice president, government affairs in January 1988, and continued in this role with Marion Merrell Dow, Inc. until August 1995 when he was named to his present position.

In addition to his accomplished career in the pharmaceutical industry, Jerry is equally renowned as an announcer and participant in the American Quarter Horse Association and the American Rodeo Association. He was chosen by his peers in the United Rodeo Association to announce the finals and championships 10 years in a row. He also served in the same capacity for the Quarter Horse Association championships for a similar period.

Mr. Hedrick is a leader in his community where he actively participates with several organizations. He is a member of the Greater Kansas City Chamber of Commerce; he is one of the founding trustees of the Midwest Bioethics Center, he sits on the advisory council at Emporia State University and he is the current Kansas State director for the American Quarter Horse Association. He is also involved with the Heart of America Council of the Boys Scouts of America and volunteers his time to help the Dream Factory, an organization dedicated to granting the wishes of very ill children. I can attest to his strong desire to make a difference in his personal and professional life.

Through his work and volunteer efforts Jerry has made many positive contributions. Mr.

Speaker, please join me in honoring and acknowledging the lifelong achievements of Jerry B. Hedrick and in wishing him the best upon his retirement.

#### RECOGNIZING DR. TADAHIRO SEKIMOTO

#### HON. PHILIP M. CRANE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. CRANE. Mr. Speaker, I rise today to recognize Dr. Tadahihiro Sekimoto, who is the Chairman of the Board of NEC Corp. His goal of peace, progress and prosperity for all is a goal we all share. Mr. Speaker, his statement offers a vision for the multinational corporation in the next millennium which I believe will be of interest to political and business leaders in our country and around the world:

CALLING WORLD LEADERS TO ACTION TO ADDRESS THE NEW ROLES AND RESPONSIBILITIES OF THE MULTINATIONAL CORPORATION IN THE NEW CENTURY

(By Dr. Tadahihiro Sekimoto)

As we approach the start of a new millennium, it is—I believe—time for those of us in positions of international stewardship to help illuminate the way to a new century of peace, progress, and prosperity for all.

#### GREAT CHANGE

During the half century that I have been in the information technology (IT) industry, I have been privileged to be an eye-witness to its creation of astounding change, perhaps the most dramatic of which has been the world's rapid advance toward a more universal society characterized by the accelerated movement of labor goods, technology, and capital across frontiers.

This 20th Century phenomenon is making us increasingly dependent upon each other because it is dissolving the largely arbitrary boundaries between many of the societal underpinnings—especially nation states, and thus economies—with which we and our ancestors have lived more or less comfortably over the past millennia.

To what can we attribute the steady disintegration of these once very convenient lines of demarcation, this new mobility and rapidly expanding cross-border and hence cross-cultural interaction? Clearly, advances in science and technology, including IT, are playing significant roles in the unfolding drama—roles so enduring, in fact, that they are producing a new economy (and its resultant new society) and requiring us to write another chapter in the history of our civilization.

This new episode, which some call the "Information Age", is dramatically transforming, largely for the better, most aspects of daily life in most parts of the world. But perhaps even more important, it is leading to a new society that will be based on an ability to understand and respond to the needs and wishes of individuals everywhere in the world.

#### ALSO GREAT CHALLENGES

With the expansion of this new information economy and society throughout the universe will come radical new roles for our world institutions, including companies like mine. But what are these new roles going to be? How will they transform our multinational giants, the successful management of which challenges us greatly even today? What will this enterprise be like in the future? What should it be like?

By no means do I believe that I have crystal-clear vision of the future. But I have begun trying to understand it and its urgent demands. And in my mind, the most compelling challenge of the international corporation in the 21st century is the need to maintain a concern for the environment.

It is clear that the well-being of all people go hand-in hand with economic progress. And from my vantage point it seems that additional advances in science and technology are key to producing this much needed harmony that is increasingly important to our survival.

More effective management of competition's chaotic expansion is the second most serious new responsibility that the Information Age is requiring us to assume. And I believe that cooperation at all levels—including those of global, regional, national, local, and corporate—is the essential element here. World institutions will simply have to invent and engage in novel forms of collaboration at the same time they compete. In the business community we refer to this more contemporary and useful way of operating as the "complementarian" mode where sometimes we compete, sometimes we cooperate, and more often we do both.

The mutually beneficial working relationship between the IT industries of the United States and Japan aptly illustrates this complementarian concept. The U.S. is strong in software. This is not surprising: America's economy has been information-intensive for some time. Augmenting your strength in software is Japan's power in hardware—reflective of our highly advanced position in the Industrial Age. For some time now the two industries and countries have astutely engaged in a symbiotic association that is probably typical of what will occur much more frequently in the complementarian climate of the 21st century.

The third most serious challenge facing us at the start of the next millennium is, in my view, figuring out how world institutions—including corporations—can most effectively manage their new roles. The perceptive business executive knows what his organization's responsibilities are today. But what will they be in the decades ahead as the information economy and society broaden and inform more and more aspects of our lives?

One answer is that in the 21st century the multinational enterprise can no longer be parochial; its mission of service must encompass its entire community because, to paraphrase Adam Smith, it too—just like other world institutions—exists to serve and strengthen its societies.

So the multinational's notion of corporate stewardship will have to change—as it already has in some more enlightened U.S. companies. Increasingly, all of us business leaders are going to have to expand our philanthropy considerably beyond where we are accustomed to giving. If, for instance, our contributions have been exclusively economic, we might need to move into social, technical and other cultural and geographic spheres as well.

#### NEW MANAGEMENT STRATEGIES ARE ESSENTIAL

Despite these and other seriously demanding challenges—to which I have given decades of thought—I believe strongly in mankind's ability to successfully manage this increasing interaction among nations and the resultant Information Age for the benefit of humanity, both our generation and the generations that follow us.

Some large corporations that reach well beyond their own national boundaries have already started creating and employing different, more suitable management strategies for the future, and I am gratified to report that mine is one of them.



The highly complex nature of our business as a leading international IT supplier and multi-media pioneer has required us to learn how to operate much more efficiently and effectively. For instance, in recent decades we have successfully situated many corporate functions, including R & D and manufacturing, in what we consider the optimum locations in the world. In like manner, we have bought and sold in the world's most suitable markets—wherever they are. I am gratified to say that this optimization of resources has given us a strong competitive edge.

It is also an idea that has broad application: We use it to help us put the right person in the right job—again, wherever in the world that position is located. One of the advantages of this policy: We are developing another competitive benefit—that of building a management team composed of the most capable professional from a number of countries around the world, not just from Japan alone. And as you might expect, this new troop is enriching everything we do with all the unique strengths of the many and diverse national cultures represented in it.

In the process of deploying the concept of resource optimization throughout our company—and puzzling over what the 21st century might demand of us in terms of new management strategies—we were struck by the growing need to recognize both the requirements of the group, or the whole, and the more personalized focus of the new era. But now to join the two seemingly divergent positions in compatible fashion? From the Greek words *holos*, meaning, "whole" and on, signifying "individual", I coined the term "holonic" to indicate the need to harmonize the two.

So today we are successfully employing "holonic" management to assure the prosperity of the corporation as a whole while simultaneously respecting and honoring the sovereignty of the individual—whether that individual is a company subsidiary, a company employee, or a member of one of the hundreds of communities around the world in which we operate. And this more sympathetic, complementary management strategy has become another competitive advantage for us.

Experience has taught us that one of the keys to employing it profitably is the sharing of information. Another is establishing and nurturing a culture of the term or the subsidiary or the corporation—so that members have a meaningful concept around which to rally and with pride produce something they consider significant.

In fact, these two notions—the sharing of information and the development of a mutually-engaging culture—have become so important, at least from our observation, that we have added them to the three resources we have historically identified and valued: People, property and money.

And I am convinced that the successful 21st century leaders—of nation states, city states, suburban and rural communities, corporations, and the like—are going to be those who best assure and most favorable, enriched conjunction of the whole and the individual. I am also confident that information technology will continue to provide opportunities for world leaders to exchange ideas and share resources and will pay an increasingly significant role in the enhancement of all our lives.

MY CALL TO ACTION—A NEW DIALOGUE FOR THE NEW CENTURY

Now you know something of my thoughts about the upcoming millennium and my efforts to position my company and my country advantageously for it. This leads me to share with you my great interest in building on the wisdom of world leaders from essen-

tial disciplines, by bringing us together to identify vastly more creative ways to help all people achieve their desired goals in the new century.

It used to be that the complementary and productive partnership between and among business and financial leaders, elected politicians and government officials was sufficient to assure prosperity and peace. The now seriously-outdated nature of this limited collaboration has inspired us to consider an expansion—actually a doubling of the size of the group to include distinguished heads of labor, academic, and the media as well.

I refer to this new alliance as the "neohexagon". And I am issuing invitations to neohexagon leaders throughout the world, in developing as well as developed countries, to join me in dialogue focused on identifying the best management practices for the 21st century and preparing our organizations and our societies for the better tomorrow that our grandchildren and their great-grandchildren deserve.

#### COMMENDING RICHARD MORROW

#### HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 9, 1997

Mr. WEYGAND. Mr. Speaker, I would like to take this opportunity to rise and commend Mr. Richard Morrow of West Warwick, RI, for his act of extreme courage and heroism.

Just 2 weeks ago, while traveling home after visiting his father, this gentleman came upon the scene of an accident. A car had struck a tree and caught fire. Surveying the situation, Mr. Morrow witnessed two people in the auto. Risking his own life, he began a daring rescue attempt of the occupants, quickly pulling the passenger to safety.

He then returned to the vehicle to free the driver, who, semi-conscious and bleeding profusely from head wounds, was trapped in the crumpled wreckage. With flames lapping the driver's feet, Mr. Morrow struggled to rip open the door and drag the man across the street. He then used his own clothing to smother the flames burning the driver.

Only seconds later, the car exploded, ripping apart the front section of the auto, where only moments earlier the driver lay dying.

Responding to the scene, police referred to Mr. Morrow as a hero. Mr. Speaker, Richard Morrow's actions were heroic. Without any concern for his own personal safety, he calmly took charge of a life-threatening situation and saved the lives of William Burgess and his passenger Wayne Curtis. I ask all of my colleagues to join me in commending Mr. Morrow for his actions.

#### A TRIBUTE TO THE CREW OF THE U.S.S. BULLHEAD (SS-332)

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 9, 1997

Ms. KAPTUR. Mr. Speaker, although the end of the Second World War occurred over a half-century ago, Americans still honor and continue to remember the hundreds of thousands of men and women who paid the ulti-

mate sacrifice in this, the greatest conflict of all human history.

I would like to take this time to honor the brave men who served on the U.S.S. *Bullhead* (SS-332). The U.S.S. *Bullhead* was the last major vessel lost by the United States in World War II, and with it went the lives of 84 American sailors.

On August 6, 1945, the U.S.S. *Bullhead* was plying the waters of the Java Sea when it was suddenly attacked by Japanese aircraft, which proceeded to drop 500-pound bombs on the American submarine. Although presumed to have been sunk, the actual fate of the U.S.S. *Bullhead* could not be determined.

On August 23, 1945, the U.S. Navy announced that "The U.S.S. *Bullhead* is overdue and presumed lost." The U.S.S. *Bullhead* was the 52d U.S. submarine lost during World War II. It wasn't until long after the end of the war that the fate of the U.S.S. *Bullhead* and its crew was learned following the release of Japanese records.

Mr. Speaker, in honoring the crew of the U.S.S. *Bullhead*, I wish to extend special appreciation to Mr. Richard L. Henshaw of Toledo, OH, who has strived to maintain the memory and honor of this submarine and its gallant crew.

Mr. Speaker, I wish to include for the RECORD the following official history of the U.S.S. *Bullhead*:

*Bullhead* (SS-332) was laid down on 21 October 1943 at Groton, Conn., by the Electric Boat Co.; launched on 16 July 1944; sponsored by Mrs. Howard Doyle; and commissioned on 4 December 1944, Comdr. Walter T. Griffith in command.

Following a month's shakedown cruise in Narragansett Bay, the submarine sailed on 9 January 1945 for Key West, Fla., where she received two weeks of additional training before pushing on to Panama. She emerged from the canal on 11 February and headed for Hawaii. On the first day out, a near disaster occurred. During a practice dive, the main induction failed to close rapidly enough because of low hydraulic pressure, and tons of water flooded in before it could be shut. The ship was saved by shifting ballast, pumping out water, and continuing the dive. She proceeded on without incident and reached Pearl Harbor on 26 February.

At the end of her voyage repairs, *Bullhead* left Pearl Harbor on 9 March. Ten days later, she paused at Guam to refuel and then got underway on the 21st for the northern port of the South China Sea and her first war patrol. The submarine hunted off Formosa through 30 March without encountering any enemy ships before shaping a course for Hong Kong. En route, she shelled targets on enemy-occupied Pratas Island. While off Hong Kong, she also provided lifeguard services for Allied aviators. On 8 April, an American "Liberator" mistakenly bombed *Bullhead*. All the bombs missed her, fortunately, by at least 75 yards and, while severely shaken, she sustained no damage.

On 16 April, four miles off the China coast, the submarine recovered the crew of a downed Army aircraft, taking on board three survivors and the bodies of three casualties. The submarine terminated the patrol on 28 April in the Philippines when the safely arrived at the newly constructed base at Subic Bay, Luzon.

Upon completion of her refit there, *Bullhead* spent eight days in training exercises off the coast of Luzon before getting underway again on 21 May for her second war patrol. This time, the submarine operated in a wolf pack with *Bergall* (SS-320) and *Kraken*

(SS-370) in a coordinated sweep of the Gulf of Siam and the Java Sea.

*Bullhead* entered the patrol area on 25 May but encountered no suitable targets until 30 May, when she made a machinegun attack on a 150-ton schooner and claimed to have sunk the Japanese vessel. On 4 June, the submarine moved to a new station south of Anabas Island, but this area proved to be barren.

On the 16th, she entered the western end of the Java Sea, *Bullhead* discovered her next victim on the 18th. Once again, she trained her machine guns on a maru, a 700-ton vessel which sank soon after suffering a hit at the waterline. Later that day, the submarine sighted a small convoy of two merchantmen and two escort vessels but was unable to attack because the ships took shelter along the Java coast.

On the morning of the 19th, *Bullhead* engaged in a surface battle with two subchasers and two picket boats and took credit for sinking one 700-ton subchaser and damaging a smaller one of some 500 tons. The remaining Japanese vessels tried to take cover behind a point of land, but *Bullhead* closed the shore and continued firing on the boats. The encounter did not end until the submarine exhausted her supply of 5-inch ammunition.

On 25 June, *Bullhead* opened fire with her 40-millimeter gun on a small Japanese vessel, set the boat ablaze, and believed that the Japanese boat had been sunk. She completed this patrol on 2 July when she moored at Fremantle, Australia.

Despite claiming to have sunk several vessels, *Bullhead* was not officially credited with destroying any Japanese shipping during this patrol. During a brief refit period, the submarine received another 5-inch gun. The submarine left Fremantle on 31 July to begin her third patrol. She was to transit Lombok Strait and patrol in the Java Sea with several other American and British submarines.

*Bullhead* rendezvoused with a Dutch submarine, *O-21*, on 2 August and transferred mail to her. Four days later, the submarine reported that she had safely passed through the strait and was in her patrol area. No further word was ever received from her; and, on 24 August, she was reported overdue and presumed lost.

Postwar analysis of Japanese records revealed that a Japanese army plane depthcharged a submarine off the Bali coast near the northern mouth of Lombok Strait on 6 August. The pilot claimed two direct hits and reported a gush of oil and air bubbles at the spot where the target went down. It was presumed that the proximity of mountains shortened her radar's range and prevented *Bullhead* from receiving warning of the plane's approach. The submarine went down with the loss of all hands. Her name was struck from the Navy list on 17 September 1945.

*Bullhead* won two battle stars for her World War II service.

## ELECTRONIC FINANCIAL SERVICES EFFICIENCY ACT

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. DREIER. Mr. Speaker, I am pleased to join my colleague, Representative RICHARD BAKER, as an original cosponsor of H.R. 2937, the Electronic Financial Services Efficiency Act. The purpose of this legislation is to facilitate electronic commerce by promoting tech-

nologies that can authenticate agreements in the conduct of consumer and financial transactions using the Internet and other forms of digital communications.

It is estimated that commerce on the Internet will grow from \$200 million in sales in 1995 to tens of billions of dollars by the year 2000. Therefore, it is critically important, given the explosive growth of electronic commerce and its ability to circumvent geographical and legal boundaries, that the Federal Government encourage the private sector development of uniform standards for electronic authentication while not imposing rigid rules that may stifle innovation. It is equally important that any effort to preempt State digital signature laws not accord such a preemption solely to one particular provider of authentication services.

H.R. 2937 provides for a national system that is competitively and technologically neutral. It establishes a National Association of Certification Authorities [NACA], which would function as a self-regulatory organization consisting of registered providers of electronic authentication services. NACA will maintain a market-oriented approach to the regulation of electronic commerce by promoting a clear and predictable legal environment to insure that competition and consumer choice are the hallmark of the emerging global digital marketplace.

Such a system will also have beneficial applications for the delivery of Government benefits and services. With appropriate safeguards to protect against fraud and privacy violations, citizens will be able to pay their taxes, access Social Security records, and make Freedom of Information Act requests in a secure environment. Even the House of Representatives is looking to digital communications as a means to conduct much of its administrative transactions and disclosure requirements in the future.

Mr. Speaker, it would be a mistake for Congress to establish a system that relies on Government to regulate electronic commerce. Despite the rapid advancements in information technologies and our comprehension of them, we continue to know too little about future technology advancements and their potential applications. Nobody could envision just 2 years ago how the Internet would be used today as a means for transacting business, and nobody has a clear vision of how electronic commerce will be conducted 2 years from now.

H.R. 2937 places the responsibility for setting the rules governing the authentication and security of electronic commerce in the hands of the people most knowledgeable about that technology. Only as that technology becomes more standardized and widely understood, and as problems arise that cannot be adequately addressed by a set of voluntary rules, should we begin to consider the need for direct Government oversight or regulatory intervention.

How we establish the rules of the road governing electronic commerce is one of the most important economic challenges facing Congress as our country transitions into a 21st century information economy. H.R. 2937 will allow us to establish those rules in a way that promotes competition and innovation, and I urge my colleagues to join us as cosponsors of this legislation.

HONORING MR. JESSE BROWN

**HON. JESSE L. JACKSON, JR.**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. JACKSON of Illinois. Mr. Speaker, I rise to applaud the efforts and accomplishments of my constituent, Mr. Jesse Brown, who helps people and families look to and plan for the future. Mr. Brown, the president and chief executive officer of RENCO, a national money management firm, works assiduously to ensure that the reluctant, uninitiated, and underinvested have the opportunity to engage in the market now, in order to get their piece of the pie later.

Unfortunately, many of my constituents on the South Side of Chicago and in the south suburbs, have not benefited from the reportedly robust economy. For those in my district with skills and no decent-paying job, with children but no child care, with health concerns yet no health care coverage, the current boom seems more like a bust. Too many of my constituents live day-to-day and paycheck-to-paycheck; at wit's end while trying to make the ends meet. Although the stock market plunge in October made headlines in almost every paper in the country, for them, the scare was not new or news. Their angst and insecurity is constant and simmering.

Yet, Mr. Brown goes to the places where my constituents gather—at civic halls, at church meetings, and at community forums—to give some fiscal guidance and good news. In a recent article in the Wall Street Journal, Mr. Brown described his mission to spread the word of financial prosperity. Surely, those words are falling on receptive ears. Mr. Brown takes the principles and parlance of Wall Street to Main Street, so that more people near the margins might step into the winner's circle. Knowing that his potential clients may distrust banks and brokers, Mr. Brown ventures beyond the Loop and LaSalle Street to be wherever they are.

Undoubtedly, Mr. Brown knows that families are at the point of challenge—struggling to stretch their incomes to provide for eager children preparing for college at one end and ailing parents with escalating needs at the other. In the middle of this cross-generational pull, lay baby boomers, who are preparing for their own retirement, and concerned about the fate of both the Social Security and Medicare programs. In response to the familial quandary, Mr. Brown prescribes an old-fashioned tenet, with a newfangled twist: take money from each paycheck and instead of hiding it under the mattress or in the shoe box, put it into mutual funds, stocks or bonds. Mr. Brown assures that the short-term sacrifice yields long-term security.

Most recently, Mr. Brown has encapsulated his advice and formula for financial success between the covers of his first book, "Pay Yourself First." As a result, Mr. Brown's work, more of my constituents are learning of and investing in the historic bull market, and growing larger nest eggs. Thus, while helping to grow the Nation's economy, families from my district are meeting their tough financial challenges. From their perspective, the coming years now seem more promising and prosperous. On their behalf, I commend the outstanding contributions that Mr. Brown has made to their lives and to the district.

85TH ANNIVERSARY OF THE FIRST  
SCOUTS OF AMERICA**HON. KAREN MCCARTHY**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. MCCARTHY. Mr. Speaker, I rise today to celebrate the 85th anniversary of an organization that helps to develop our Nation's future leaders: The Girl Scouts of America. On November 14, 1997, I will join with Girl Scouts from the 5th District of Missouri in a nationwide camp-out to mark this important occasion. By working to develop the self-esteem and skills of girls at an early age, this group empowers these young women to make a successful transition to adulthood. I still carry with me the values I learned as a Girl Scout and credit many of my achievements to these early lessons. Whether it was learning the value of a hard-earned dollar through the sales of Girl Scout cookies, or how to make new friends and keep the old, my memories as a Girl Scout are some of my fondest. Girl Scouting provides a classroom without walls, and teaches girls compassion, leadership, and citizenship through community service embodied in its pledge: "On my honor, I will try: to serve God and my country. To help people at all times, and to live by the Girl Scout law. I will do my best: to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, responsible for what I say and do, and to respect myself and others, respect authority, use resources wisely to make the world a better place, and to be a sister to every Girl Scout." Mr. Speaker, please join with me in honoring the success of the Girl Scouts on their 85th anniversary, a truly American institution that brings out the very best in our young people.

ADVANCEMENT OF WOMEN IN  
SCIENCE, ENGINEERING, AND  
TECHNOLOGY DEVELOPMENT  
ACT**HON. CONSTANCE A. MORELLA**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. MORELLA. Mr. Speaker, in an effort to support women in our changing economy, I am introducing the Commission on the Advancement of Women in Science, Engineering, and Technology Development Act. Women account for more than 45 percent of the U.S. labor force; yet in the fields of science, engineering, and technology, they are underrepresented and face barriers in recruitment, retention, and advancement.

According to the Department of Labor, only 8.7 percent of electrical engineers are women. That's lower than the percentage of female clergy, 11 percent. Among technology jobs, computer programming attracts the most women; 29 percent are female.

High-technology companies are part of the fastest-growing U.S. industry, which dominates both domestic and world markets. Yet these companies are battling a very serious shortage of skilled high-technology professionals. If the lack of women hinders the growth of this industry, then it will hold back the Nation's economy.

Statistics show that the percentage of degrees awarded to women in science at the bachelors, masters, and doctoral level is higher than the percentage of women actually pursuing careers in science. Women make up about a third of science students, but only a fifth of science professionals. Consequently, women are still a great, untapped source of creative science thinking as the United States moves into the next century. Science needs to increase its percentage of women professionals.

The American Medical Association reports that the number of women physicians has quadrupled in the last 20 years. While women are becoming more commonplace in the medical profession, they still are nudged away from technology, from attitudes at colleges and universities to the cultural drawbacks in computer companies.

While we, as a nation, are growing more aware of problems that beset women in the fields of science, engineering, and technology, few policies have been implemented to combat the problems women are facing in these occupations. Now, more than ever, we need a broad research project to consolidate information and identify intervention models that work.

The Advancement of Women in Science, Engineering, and Technology Development Act would set up a commission to study the barriers that women face in these fields. The commission would identify and examine the number of women in science, engineering, and technology and the specific occupations where they are underrepresented. The commission also would describe the practices and policies of employers relating to the recruitment, retention, and advancement of women scientists and engineers. The commission then would determine if these practices and policies are comparable to their male counterparts, and issue recommendations to government, academia, and private industry based on successful programs.

In addition, the bill directs the National Science Foundation [NSF] to conduct a study of the educational opportunities available to women who want to enter the fields of science, engineering, and technology. The NSF then must report its findings within 1 year and issue recommendations to Congress on how to improve educational opportunities for women who wish to enter the fields of science, engineering, and technology.

Mr. Speaker, the Advancement of Women in Science, Engineering, and Technology would be a first step in countering the roadblocks for women in our rapidly evolving high-technology society. This bill would help women break through the "Glass Ceiling" and the "Silicon Ceiling" in the fields of science, engineering, and technology, and would bring our Nation closer to creating a highly effective high-technology economy for the 21st century.

INTRODUCTION OF THE CLINICAL  
RESEARCH ENHANCEMENT ACT  
OF 1997**HON. NITA M. LOWEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. LOWEY. Mr. Speaker, I am pleased to introduce today the Clinical Research En-

hancement Act of 1997. This legislation will better enable us to translate basic science discoveries into improvements in medical treatment. I am pleased to be joined by Congresswoman NANCY JOHNSON as the primary cosponsor of this important legislation.

The difficulties faced by clinical researchers and their patients threaten progress in medicine and our country's international competitive edge in biomedical science. We are losing a generation of physician scientists because of limited research funding, medical tuition indebtedness, and obstacles created by our increasingly competitive health care system. While the Clinical Research Enhancement Act of 1997 cannot address all these problems, it can help us to recruit and retain talented clinical investigators to insure that advances in basic biomedical science are more readily translated into improvements in patient care.

In 1994, the Institute of Medicine [IOM] issued a groundbreaking report outlining the crisis facing clinical research. The IOM report found that numerous obstacles confront clinical researchers at various points in their careers. Furthermore, the IOM concluded that we simply are not training the number of clinical scientists necessary to address the rapid discoveries occurring in basic biomedicine. Studies by the National Research Council, National Academy of Sciences, and the National Institutes of Health have also highlighted the problems facing clinical research.

The Clinical Research Enhancement Act of 1997 will improve Federal support of clinical research by:

Improving the peer review process for clinical research grants and establishing innovative science awards that will be reviewed by scientists who are particularly knowledgeable about clinical research;

Strengthening the general clinical research centers [GCRC's] which now serve as the hub of NIH-supported extramural clinical research activity;

Enhancing the career development of clinical scientists by creating new awards that will be similar to existing NIH career awards but focused on clinical investigators who pursue initial research projects with a mentor prior to independent pursuit of research;

Creating innovative medical science awards for more established researchers in order to improve funding for projects involving potential clinical applications of a basic discovery which are tested on a small number of patients;

Providing support for scientists seeking advanced degrees in clinical investigation in order to address the need for structured, academic training in clinical investigation; and

Expanding the existing loan repayment program available to clinical researchers who are based at the NIH campus to make it available to NIH-supported clinical scientists at centers around the country.

The Clinical Research Enhancement Act of 1997 has the support of over 100 medical, scientific, and academic organizations. I want to especially commend the American Federation for Medical Research for their leadership on this important issue.

I urge my colleagues to cosponsor this legislation which will help to ensure that our Federal investment in basic biomedical science is translated into improvements in medical care.

I request that the accompanying materials be included in the RECORD.

As a coalition of organizations concerned about improving the quality of health care,

the National Health Council strongly supports the Clinical Research Enhancement Act. As you know, it has been more than three years since the Institute of Medicine (IOM) documented the major challenges confronting clinical research in our country. Your bill would implement a number of the IOM recommendations for addressing these problems. It is critically important that the NIH move forward as rapidly as possible with these initiatives.

The NIH is the major funding source in the United States for basic biomedical research. However, the major dividends from this investment are discoveries that improve our ability to prevent, effectively treat, and cure disease and disability. The NIH must foster not only the basic research that begins this process but also the translational research through which a basic science discovery is applied to a medical problem. There is generous industry support for clinical research and clinical trials aimed at the development of new products. However, private funding is extremely limited for initial translational research that may have little or no commercial product potential. Examples of such research include studies of nutritional therapies, new approaches to disease prevention, transplantation techniques, behavioral interventions, and studies of off-label uses of approved drugs. In the past, such research was often subsidized from patient care revenues to academic medical centers. However, competition in the health care marketplace has begun to erode this source of funding; therefore, NIH must play an expanded role in providing support for this research. The Clinical Research Enhancement Act would foster NIH funding opportunities for this type of research through the establishment of "innovative medical science awards." Such studies will focus on translating basic research discoveries into tools that health care professionals can use to cure disease and relieve suffering.

In addition, we support provisions of the bill that would foster opportunities for physicians to pursue careers in clinical research. There is ample evidence that American physicians are opting out of careers in science for a variety of reasons. Steps must be taken to rebuild our nation's supply of well-trained physician scientists if the United States is to continue its leadership of the world in medical science.

Finally, the bill would direct the NIH to improve the peer review of patient-oriented research. Studies have documented the fact that clinical research proposals are at a disadvantage when reviewed by NIH study sections because of NIH's primary focus on basic biomedical research. This must be changed, as proposed in your bill, so that scientific opportunities to improve medical care are not lost.

The undersigned organizations are extremely grateful for your leadership in addressing the problems confronting clinical research. We support your initiative to assure that the NIH invests in the translational research that holds the key for patients around the country who are waiting for a cure. We are pleased to endorse the Clinical Research Enhancement Act.

Alzheimer's Association, American Auto-immune Related Diseases Association, American Diabetes Association, American Kidney Fund, American Paralysis Association, Digestive Diseases National Coalition, Epilepsy Foundation of America, Foundation Fighting Blindness, Juvenile Diabetes Foundation International.

Glaucoma Research Foundation, Myasthenia Gravis Foundation, National Alopecia Areata Foundation, National Multiple Sclerosis Society, National Osteoporosis Foundation, National Tuberous Sclerosis Associa-

tion, Paget Foundation, Sjogren's Syndrome Foundation, Tourette Syndrome Association.

AMERICAN FEDERATION FOR  
MEDICAL RESEARCH,  
Washington, DC, November 7, 1997.

Hon. NANCY JOHNSON,  
Hon. NITA LOWEY,  
U.S. House of Representatives, Washington, DC.

DEAR REPRESENTATIVES JOHNSON AND LOWEY: I write to express the strong support of the American Federation for Medical Research for the legislation you will introduce to enhance clinical research programs at the National Institutes of Health. The AFMR is a national organization of 6,000 physician scientists engaged in basic, clinical, and health services research. Most of our members receive NIH support for their basic research but are finding it increasingly difficult to obtain public or private funding for translational or clinical research—studies through which basic science discoveries are translated to the care of patients. In the past, academic medical centers provided institutional support for this research through revenues generated by patient care activities. However, as the health care marketplace has become increasingly competitive, academic centers have all but eliminated internal subsidies, clinical research or the training of clinical investigators. In fact, the Association of American Medical Colleges has estimated that these institutions have lost approximately \$800 million in annual "purchasing power" for research and research training within their institutions. In this context, the \$60 million in spending entailed in your legislation (representing less than one-half of one percent of the NIH budget) would seem an extremely modest investment in a much-needed program to reinvigorate our nation's clinical research capabilities.

The Clinical Research Enhancement Act is a conservative approach to a severe problem. The Institute of Medicine (IOM) expressed alarm about the challenges confronting clinical research in a 1994 report, and your bill is based on the initiatives recommended by the IOM:

The IOM recommended that the General Clinical Research Centers program be strengthened. Your bill would codify this program, which has existed since the late 1950's, so that the Congress will have greater discretion over GCRC funding.

The IOM recommended enhanced career development in clinical investigation, and your bill proposes such awards.

The IOM noted problems with the NIH peer review of clinical research. Your bill directs the NIH to improve the peer review process for such research and establishes "innovative science awards" that will be reviewed by scientists knowledgeable in clinical investigation.

The IOM recommended programs to relieve the tuition debt of physicians pursuing clinical research careers. Your bill would expand an existing NIH intramural program for this purpose to the extramural community.

The IOM recommended structured, didactic training in clinical investigation. Your bill authorizes funding for advanced degree (master's and Ph.D) training in clinical research as successfully initiated at several institutions around the country.

The list of almost 150 organizations that support the Clinical Research Enhancement Act indicates the consensus of scientific, medical, consumer, and patient organizations that steps must be taken as soon as possible to stop the deterioration of the U.S. clinical research capacity, to reinvigorate the clinical research programs of academic

medical centers, and to assure that the American people and the American economy benefit from the translation of basic science breakthroughs to improved clinical care and new medical products. The American Federation for Medical Research is pleased to have the opportunity to express its strong support for your legislation.

Sincerely,

JEFFREY KERN, M.D.,  
President.

## THE ADVANCE PLANNING AND COMPASSIONATE CARE ACT OF 1997

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Sunday, November 9, 1997

Mr. LEVIN. Mr. Speaker, the Advance Planning and Compassionate Care Act of 1997 seeks to improve the medical care of individuals nearing the end of their lives so that they and their families can have confidence that this care respects their own desire for autonomy and dignity.

The compassionate care bill builds on the Patient Self-Determination Act enacted in 1990. The Patient Self-Determination Act requires health care facilities to distribute information to patients regarding existing State laws on living wills, medical powers-of-attorney, and other advance directives, which enable individuals to document the type of care they would like to receive at the end of their lives. Since passage of that legislation, there has been an increase in the number of individuals who have an advance directive, but a recent Robert Wood Johnson study found that many people do not understand the importance of discussing their advance directives with family members and their health care provider. For example, while 20 percent of hospitalized patients had an advance directive, less than half of those patients had talked with any of their doctors about having a directive and only about one-third had their wishes documented in their medical record.

The compassionate care bill takes another important step in raising public awareness of important end-of-life medical issues and improving the quality of the care individuals receive during this period.

The bill improves the type and amount of information available to consumers by making sure that when a person enters a hospital, nursing home, or other health care facility, there is, when requested, a knowledgeable person available to discuss end of life care. This will facilitate good decisionmaking on medical care based on the patient's own needs and values. The bill requires that if a person has an advance directive it must be placed in a prominent part of the medical record where all the doctors and nurses can clearly see it. It also establishes a 24-hour hotline and information clearinghouse to provide consumers with information.

The bill also ensures that an advance directive which is valid in one State will be honored in another State, as long as the contents of the advance directive do not conflict with the laws of the other State. In addition, the bill requires the Secretary of Health and Human Services to gather information and consult with experts on the possibility of a uniform advance directive for all Medicare and Medicaid

beneficiaries, regardless of where they live. A uniform advance directive would enable people to document the kind of care they wish to get at the end of their lives in a way that is easily recognizable and understood by everyone.

The compassionate care bill also focuses on the need to improve end-of-life care for Medicare beneficiaries. This bill will encourage seniors and families to have more open communication with health care providers concerning their preferences for end-of-life care. The bill also addresses the need to develop models of compassionate care and quality measures for medical care during this period.

Currently, there are few standards available to assess the quality of care provided to Medicare beneficiaries at the end of their lives. The tremendous geographic variation in medical care that currently exists reinforces the notion that many people do not receive care driven by quality concerns, but rather by the availability of medical resources in the community and other factors not related to quality care.

The bill requires the Secretary of Health and Human Services, in conjunction with the Health Care Financing Administration, National Institutes of Health, and the Agency for Health Care Policy and Research, to develop outcome standards and other measures to evaluate the quality of care provided to patients at the end of their lives.

The only Medicare benefit aimed at improving end-of-life care for Medicare beneficiaries is hospice care, which only serves a small number of beneficiaries. In 1994, the Medicare hospice benefit was provided to 340,000 patients for the last few weeks of their lives. The hospice benefit is limited to beneficiaries who have a terminal illness with a life expectancy of 6 months or less. A review of studies done by an Institute of Medicine panel found that 40 to 80 percent of patients with a terminal illness were inadequately treated for pain "despite the availability of effective pharmacological and other options for relieving pain."

The compassionate care bill provides funding for demonstration projects to develop new and innovative approaches to improving end-of-life care provided to Medicare beneficiaries, in particular those individuals who do not qualify for, or select, hospice care. Also, it includes funding to evaluate existing pilot programs that are providing innovative approaches to end-of-life care.

With a few exceptions, Medicare does not generally pay the cost of self-administered drugs prescribed for outpatient use. The only outpatient pain medications currently covered by Medicare are those that are administered by a portable pump. The pump is covered by Medicare as durable medical equipment, and the drugs associated with that pump are also covered. It is widely recognized among physicians treating patients with cancer and other life-threatening diseases that self-administered pain medications, including oral drugs and transdermal patches, offer alternatives that are equally effective at controlling pain, more comfortable for the patient, and much less costly than the pump. The bill requires Medicare coverage for self-administered pain medications prescribed for outpatient use for patients with life-threatening disease and chronic pain.

Instead of allowing these important end-of-life issues to be eclipsed by the debate over physician-assisted suicide, this legislation seeks to ensure that the medical care of pa-

tients at the end of their lives reflects their desires, increases comfort to the extent possible and is of the highest quality.

#### INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT OF 1997

SPEECH OF

**HON. MAX SANDLIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, November 5, 1997*

Mr. SANDLIN. Mr. Speaker, I rise today in strong support of H.R. 2676, the IRS Restructuring and Reform Act. I thank the gentleman from Maryland [Mr. CARDIN] and the gentleman from Ohio [Mr. PORTMAN] for their hard work on this issue. I am a cosponsor of their legislation, H.R. 2292, which is the foundation of the legislation we are passing today, and I have been a strong supporter of initiatives to improve customer service, increase management accountability, and give the taxpayer expanded rights.

The oversight board should bring private sector expertise to the IRS, streamlining procedures, easing citizen interaction, and improving efficiency. The provisions regarding the oversight board have been carefully drafted to avoid privacy violation and conflict of interest concerns while still injecting the experience and skills of business managers and tax experts to the IRS agency. Taxpayers should see immediate and long lasting improvements in the service and efficiency of the agency.

The provisions in this bill that shift some of the burden of proof in tax disputes from the taxpayer to the IRS encourage my belief that the Government can become more responsive and more accountable to the people. When law-abiding citizens live in fear of threats from Government bureaucrats, it is time to change the way the Government conducts its business. Most taxpayers accept IRS challenges to valid exemptions because they are intimidated or can't afford to fight the Federal Government in court. By shifting the burden of proof to align the IRS code with the values of our criminal justice system, the IRS is forced to back up its challenges so that law abiding taxpayers are not forced to forfeit money that is legally theirs.

These reforms are only the first step in our struggle to reduce the impact of Federal taxes on taxpayer's lives. The real problem is the several thousand page Tax Code, created by Congress, that the IRS attempts to administer. This year alone, Congress added 600 pages to the Code by passing \$85 billion in tax cuts. When a tax cut makes the Tax Code more complex, you know it is time to scrap this Code and start over with one that is simple, fair, and understandable.

#### PERSONAL EXPLANATION

**HON. ALLEN BOYD**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. BOYD. Mr. Speaker, today, November 9, I was unavoidably detained and missed the vote on H.R. 1129. Had I been present, I

would like the RECORD to reflect that I would have voted "yes."

#### INTRODUCTION OF THE CLINICAL RESEARCH ENHANCEMENT ACT

**HON. NANCY L. JOHNSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to announce with my good friend from New York, Congresswoman NITA LOWEY, the introduction of the Clinical Research Enhancement Act that will improve the quality of health care by enhancing our investment in clinical research. We introduced a similar bill in the 104th Congress, and I am once again glad to be working with Congresswoman LOWEY and the health research community, led by the American Federation for Medical Research, on this proposal.

Clinical research is the critical component we need to bring the discoveries of basic research to the patient in the form of medical treatments. Our Government makes significant investments each year in basic research through the National Institutes of Health. In fact, the Federal Government is the major source of investment in basic biomedical research. However, it is crucial that the Government focus not only on basic research but also on the translational research that utilizes the discoveries of basic research to improve our ability to prevent, treat, and cure disease and disability.

While there is industry support for clinical research and clinical trials, private funding is very difficult to secure for the initial steps of translational research, which may have little or no commercial potential. Examples of this initial research include nutritional therapies, new approaches to disease prevention, transplantation techniques, behavioral interventions, and studies of off-label uses of approved drugs. These initial steps of clinical research used to be subsidized in part from patient care revenues to academic medical centers. As we heard in our debate on Medicare reform and graduate medical education, however, these teaching hospitals are more and more stretched for teaching and patient care dollars. They are finding it much more difficult to maintain their teaching role, let alone their investment in clinical research. Therefore, it is more important than ever that NIH devote greater attention and resources to providing support for clinical research.

Without the important link of clinical research, the investment that our country makes in basic research does not have the impact on the quality of health care that it could have. We have heard concerns from the research community that clinical research based on our basic research discoveries is going overseas because it does not have financial support in the United States. It would be ironic if our expanding commitment to medical research, as evidenced in by NIH's growing budget, should create jobs overseas because we fail to address the need to fund clinical research, the link between basic research and a vital biomedical industry on our soil.

This legislation also will encourage more of our young researchers and physicians to pursue careers in clinical research. The data

demonstrates that American physicians and researchers are choosing not to pursue careers in clinical investigation in large part due to the lack of positions and funding for such research.

It is important that we take steps to rebuild our Nation's supply of well-trained physician scientists if the United States is to continue its leadership in the medical sciences. This legislation encourages physicians and researchers by establishing grant and loan repayment programs to support the training and research of clinical investigators.

I encourage my colleagues to examine this legislation carefully and discuss the issue with clinical researchers in their district. Many of them will highlight the needs that we have heard from researchers and universities across the Nation. Numerous polls have also shown that health care research is strongly supported by the American public. This legislation will make that research much more powerful and real in their lives.

#### TRIBUTE TO JOHNNY McCLOUD

#### HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Ms. KAPTUR. Mr. Speaker, I rise today to pay tribute to a community leader in my district. Johnny McCloud, a minister, an activist, and organizer in Toledo, OH died suddenly on October 23, 1997 at the age of 52 years.

Born and raised in Florida and Georgia, Johnny completed undergraduate studies and graduate studies at Southwestern Christian University, Abilene Christian University, University of South Florida, and Valdosta State College. He also attended International Seminary in Orlando, FL for post graduate work. A lifelong learner, his studies ranged from biology and medicine, to counseling and education, to administration and the Bible. He taught school, worked for the Economic Planning and Opportunity Association, and ran his own business. A noted orator, he was most known as a minister with North Side Church of Christ and Glass City Church of Christ, and as the executive director of the J. Frank Troy Senior Center in Toledo.

Johnny McCloud's civic and community work was legion. He was highly involved in many organizations, for most of which he was an officerholder, including the National Caucus and Center of Black Aged, National Black Alcoholism Council, Northwestern Ohio Regional Council on Alcoholism, Interdenominational Ministerial Alliance, Interracial Religious Coalition, EOPA of Greater Toledo, Selective Service Board, the Republican Party, Neighborhood Business and Economic Development Committee, IBPOE, Holy Hill No. 4 Chapter—AF & AM, Rachel Chapter—OES, Amaranth Chapter, Matrons Council, and Order of Masons. In all of these activities, he offered total commitment and dedication to all of these causes.

Our heartfelt prayers are with his family and friends during this extremely difficult time. May his son Willie, his mother Evelyn Parker, and sister Betty Braham find some measure of comfort and peace in the condolences and gratitude of our community.

#### CELEBRATING VETERANS DAY

#### HON. ROBERT A. WEYGAND

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. WEYGAND. Mr. Speaker, at 11 a.m. on November 11, 1918 an agreement to end World War I was reached. That war claimed the lives of 116,708 Americans. Since then 499,428 Americans have given their lives to protect our freedom. We should also remember the hundreds of thousands who were wounded and the millions who have served without injury for that very same cause.

Over the last few weeks the House has passed several bills recognizing some very worthy veterans. In fact, just a few weeks ago the House passed a bill recognizing the heroism of David Champagne, a great American—a great Rhode Islander. Tuesday we will recognize the heroism of all Veterans and their invaluable contribution to the United States.

Tuesday we will celebrate Veterans Day, a day set aside to honor and give thanks to those millions of veterans who have fought or have given their lives for our freedom.

The United States has, under its control, the greatest weapon in the world. It is not any bomb, gun, ship, or plane it is its soldiers, sailors, airmen, and women. The men and women in uniform are a primary reason we enjoy the luxuries we do. Without their perseverance and dedication this country would not be as great and as free as it is today.

In recent days we have seen tensions flare up in the gulf. I have no doubt our soldiers will, once again, if asked, respond without hesitation and without question to protect our security.

I ask all Americans to take a moment and reflect on the freedoms they have and about those who have sacrificed to preserve them.

Thanks to the millions of veterans across America.

#### DAKOTA WATER RESOURCES ACT OF 1997

#### HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Sunday, November 9, 1997*

Mr. POMEROY. Mr. Chairman, I rise today to introduce the Dakota Water Resources Act of 1997. My colleagues, Senator CONRAD and Senator DORGAN, are introducing a companion bill in the Senate today. This bill represents an unprecedented agreement among North Dakota's congressional delegation, the States' elected leaders and a variety of State organizations.

After years of negotiations, this legislation embodies a bipartisan effort to meet the comprehensive water needs of North Dakota, including the State's four Indian reservations. Without a dependable source of quality water the State's potential for economic development will be crippled.

The Dakota Water Resources Act amends the Garrison Diversion Reformulation Act of 1986 and would refocus the project from large-scale irrigation to the delivery of safe water. Throughout North Dakota, people realize that the project as outlined under the 1986

Act will not happen, and they support the more affordable, realistic provisions that would meet the State's water needs.

Right now, much of the State lacks a supply of quality water. Many communities have unresolved Safe Drinking Water Act compliance problems. Rural water systems and regional water supply systems have been formed to meet the water needs, but much more needs to be done to complete those systems.

To meet cities and towns' needs for safe water, the act authorizes \$300 million for municipal, rural and industrial water systems (MR&I) projects. It allows the State to provide grants or loans to MR&I systems. This means the State could establish a revolving loan fund and continue to use funds from repaid loans for MR&I systems.

In conjunction with the State's need for MR&I, it is important to note the additional authorization of \$200 million which would provide for MR&I on the four Indian reservations. Additionally, authorization for irrigation on the reservations is included in this legislation, along with a provision which gives tribes the flexibility to determine which sites to irrigate within the reservation. The Standing Rock, Fort Berthold, Turtle Mountain and Fort Totten Indian Reservations would finally be able to meet their long overdue water needs with these provisions.

Another major feature of this legislation which has not been realized under the 1986 Act is the ability to meet the water needs of the Red River Valley in North Dakota. This would provide \$200 million for the State to choose the method of delivering Missouri River water to the Red River Valley. The communities of Fargo, and Grand Forks, as well as other towns up and down the valley would have a reliable source of water for continued growth in population and commercial activity.

Any project that would be completed under the Act must comply with the Boundary Waters Treaty of 1909. We fully intend, and are required, to comply with the 1909 treaty between the United States and Canada when considering completion of any component of the project.

In addition to meeting the State and the Indian reservation's comprehensive and future water needs, this Act involves significant environmental achievements. A Natural Resources Trust would receive \$25 million to preserve, enhance, restore, and manage wetlands and associated wildlife habitat, grassland conservation and riparian areas in the State.

Other sections of the Act include authorization for the State to develop water conservation programs using MR&I funding. A bank stabilization study along the Missouri River below the Garrison Dam would be authorized. Also, the current Lonetree Reservoir would be designated as a wildlife conservation area.

All of these provisions and the entire Dakota Water Resources Act have been worked out with painstaking detail among numerous groups. I would like to personally thank the Senators from North Dakota, Senator KENT CONRAD and Senator DORGAN and their very capable staff, as well as North Dakota's State engineer and counsel, for their tireless work on the extraordinary agreement.

I would also like to specifically note the support of the North Dakota Chapter of the Wildlife Society. Their input and support has been crucial to the development of this legislation.



Many other groups have given their attention, time, and support to this comprehensive plan. It is rare that a bipartisan agreement such as this could be reached among an all-Democratic congressional delegation, and a Republican governor, as well as the majority and minority leaders of the State Senate and House of Representatives. But not only did these people agree that this legislation is important for the State's economic development, but a wide variety of groups concurred.

For the RECORD, I submit letters of support from the following: North Dakota Wildlife Society; North Dakota Rural Electric Cooperative; North Dakota Water Users Association; North Dakota Water Resource Districts Association; Souris River Joint Water Resource Board; West River Joint Water Resources Board; Devils Lake Basin Joint Water Resource Board; Southwest Water Authority; Garrison Diversion Conservancy District; North Dakota Education Association; the cities of Fargo, Grand Forks, Minot, Williston, and Dickinson; Spirit Lake Sioux Tribe; Three Affiliated Tribes; Standing Rock Sioux Tribe; Turtle Mountain Band of Chippewa; the Industrial Development Association; the Fargo Chamber of Commerce; and the Greater North Dakota Association.

NORTH DAKOTA,  
November 7, 1997.

Senator FRANK MURKOWSKI,  
*Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

Senator DALE BUMPERS,  
*Ranking Member, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.*

Representative DAN YOUNG,  
*Chairman, Committee on Resources, House of Representatives, Washington, DC.*

Representative GEORGE MILLER,  
*Ranking Member, Committee on Resources, House of Representatives, Washington, DC.*

GENTLEMEN: Today marks a significant milestone for the State of North Dakota. We, the elected political leaders of the state, have agreed to support the introduction and to urge the passage of the "Dakota Water Resources Act." The attached legislation, if enacted, will play an integral part in the economic future of our state.

We are proud that this legislation is the product of extensive and full consultation with people who represent nearly all aspects of the life of our state. It represents a cooperative effort which has not only reached across partisan political lines, but also has constructively engage all affected interests of the state. It reflects the views of Republicans and Democrats, Tribal leaders, the North Dakota Chapter of the Wildlife Society, The North Dakota Water Users Association, and the Rural Electric Cooperatives.

Accordingly, we urge you to give this legislation your early review and full support.

Sincerely,

KENT CONRAD  
*U.S. Senator.*  
BYRON DORGAN  
*U.S. Senator.*  
EARL POMEROY  
*U.S. Representative.*  
EDWARD SCHAFER  
*Governor.*  
GARY NELSON  
*Majority Leader, State Senate.*  
TIMOTHY MATHERN  
*Minority Leader, State Senate.*  
JOHN DORSO  
*Majority Leader, State House.*

MERLE BOUCHER  
*Minority Leader, State House.*

Attachment.

GARRISON DIVERSION,  
*Carrington, ND, November 7, 1997.*

Hon. KENT CONRAD,  
*U.S. Senator, Washington, DC*  
Hon. EARL POMEROY,  
*U.S. Congressman, Washington, DC.*  
Hon. BYRON DORGAN,  
*U.S. Senator, Washington, DC.*  
Hon. EDWARD T. SCHAFER,  
*Governor of North Dakota, Bismarck ND.*

SENATOR CONRAD, DORGAN, CONGRESSMAN POMEROY, GOVERNOR SCHAFER: I have reviewed the Garrison Diversion Amendments and support their introduction as the "Dakota Water Resources Act of 1997." I believe, if enacted, this legislation will go far toward relieving the federal government from the onerous "trail of broken federal promises." While the promise of economic opportunity through federal irrigation has been decimated, this legislation will bring affordable, high quality water to a large portion of North Dakota. Indian and non-Indians will benefit from the water supplies provided by this legislation. In many cases, these amendments will restore spirits nearly broken by the drudgery of hauling poor quality water for many miles through severe weather conditions. Affordable access to a portion of North Dakota's rights to Missouri River water will be possible, and the 120 miles of canals and pumping stations that remain a scar on the belly of the prairie will finally be put to limited use.

The Amendments provide assurances that the Boundary Waters Treaty, with our Canadian friends, will not be violated. Environmental benefits for fish and wildlife resources are also included. The project is already referred to as a model for wildlife mitigation and enhancement. This legislation will further that reputation. Finally, this legislation reduces the overall cost of the authorized project features while providing for return on the existing investment.

I will submit this legislation to the Garrison Diversion Conservancy District's full board at their next meeting, with a strong recommendation that they adopt a resolution in support of its passage.

Sincerely,

WARRREN L. JAMISON,  
*Manager.*

NORTH DAKOTA CHAPTER OF THE WILDLIFE SOCIETY, STATEMENT CONCERNING THE NOVEMBER 7, 1997 PROPOSED AMENDMENTS TO GARRISON DIVERSION REFORMULATION ACT OF 1986

The North Dakota Chapter of The Wildlife Society supports the proposed amendments to Garrison Diversion Reformulation Act as described in the November 7, 1997 Discussion Draft. We strongly believe the cooperative effort with the Congressional Delegation and North Dakota's state political leaders has strengthened the bill. Throughout this effort we have sought to develop legislation that benefits North Dakotans through water development and minimizes potential impacts to our state's natural resources.

Modification of the 1986 Reformulation Act will benefit substantially more North Dakotans by emphasizing municipal, rural, and industrial water needs of the State. The November 6, 1997 additions also place an equal emphasis on recognition of the enhancement

of fish and wildlife habitat and other natural resources as a full project feature. We are pleased to see the designation of Lonetree as a wildlife conservation area. This change is consistent with the recognition of natural resource conservation as a project feature that benefits North Dakota and the State's economy.

We are also encouraged by the addition of funds and the increased opportunities for natural resource conservation in North Dakota presented by the evolution of the Wetlands Trust into the new Natural Resources Trust. We believe the establishment of an account within the Natural Resources Trust to operate and maintain wildlife development areas will benefit wildlife resources in the state. This will ensure the stated commitments of the project are met in the future.

The findings of the Environmental Impact Statement written by the Bureau of Reclamation will provide a framework for a project which minimizes impacts to North Dakota's natural resources and provides for opportunities to meet the comprehensive water needs of eastern North Dakota. We will gladly be a full participant in this process to help ensure that the water needs of Fargo, Grand Forks, and neighboring communities are met in an environmentally sound cost effective manner.

Our involvement in this legislation has not ended. We look forward to working with all parties involved to develop the corresponding report language to captures all points of agreement. Full involvement by all interested parties has produced a final bill that North Dakotans can embrace. We welcome the opportunity to cooperatively work on this and other issues effecting North Dakota's natural resource heritage.

CITY OF GRAND FORKS,

*Grand Forks, ND, November 7, 1997.*

Congressman EARL POMEROY,  
*Washington DC.*

DEAR CONGRESSMAN POMEROY: My staff and I have reviewed the "November 7, 1997 Discussion Draft Proposed Amendments to Garrison Diversion Reformulation Act of 1986." I strongly support the approach taken of implementing a comprehensive package that will benefit the state of North Dakota.

I acknowledge and support delivery of water to eastern North Dakota and top water management priority for continued economic growth. It is essential that the necessary measure are taken to assure that the City of Grand Forks and all of eastern North Dakota receives a reliable drinking water source for the future.

Thank you for your hard work to introduce these amendments.

Sincerely,

PATRICIA A. OWENS,  
*Mayor.*

CITY OF FARGO,

*OFFICE OF THE MAYOR,  
Fargo, ND, November 7, 1997.*

Hon. EARL POMEROY,  
*House of Representatives, Washington DC.*

DEAR CONGRESSMAN POMEROY: The latest draft amendments to the Garrison Diversion Reformulation Act of 1986 have been received and reviewed by Fargo staff and elected officials. We are very supportive of the proposed language.

As the State's largest City which continues to have a population growth of nearly 2% per year—this rate of increase has sustained for over 20 years—the need for an adequate, reliable and quality source of water is key to our future. The City has just completed construction of a state of the art water treatment facility having the capabilities of addressing all current and anticipated safe

drinking water standards well into the 21st Century. While this facility is on line and treating water from the Red River of the North and the Sheyenne River, it will be of little use if water is not available in either of these water sources.

History bears out the fact that the lack of water in these rivers is a real possibility—In the 1930's low flow conditions prevented the use of water from the Red River for seven straight years. As late as 1975, severe rationing of water in Fargo was caused by low flows in the Red River.

The introduction of new legislation to continue the Garrison Diversion effort is very timely. The modifications to the established legislation will greatly enhance Fargo's and eastern North Dakota's potential as a growth area—for population, economic and agricultural purposes—in the Midwest.

Your continued support and work on this very important legislation is needed and appreciated. If we can do anything to further this legislative effort, please call on me.

Sincerely,

BRUCE W. FURNESS,  
*Mayor.*

TURTLE MOUNTAIN, BAND  
OF CHIPPEWA INDIANS,  
*Belcourt, ND, November 7, 1997.*

Hon. BYRON DORGAN,  
*U.S. Senate,  
Washington, DC.*  
Hon. KENT CONRAD,  
*U.S. Senate,  
Washington, DC.*

DEAR SENATOR: The Turtle Mountain Band of Chippewa Indians approve the efforts of our congressional representatives in your effort with regard to the "Dakota Water Resources Act". We know how hard this type of legislation is to get bipartisan agreement and feel your efforts have been exceptional.

We of the Turtle Mountain Band of Chippewa Indians appreciate being invited to the October 27th, 1997 hearing on the Draft Garrison Amendments. We feel that the hearings were very productive and appreciate the cooperation and courtesies extended to the tribes of North Dakota.

We have reviewed the total "discussion draft" dated November 5, 1997 as was sent to us.

1. We feel this draft is well put together and generally portrays the feeling of the majority of attendees at the table. The Tribes of North Dakota agreed on the breakdown of the Native American authorizations and find them as was discussed.

2. We note that you have taken some of the suggestions put forth in Russell D. Mason, Sr. Letter dated October 27, 1997 handed out at the hearings.

3. We note that in section 7(c) you have made specific reference to the Trenton Indian Service Area in the Turtle Mountain allocation and are pleased with that thought.

4. In the section 7(c) page 14 line 22, you have included "along with adjacent areas".

The Turtle Mountain Band of Chippewa Indians feel this document is put together in the spirit of cooperation with the entities involved and look forward to doing whatever the Tribe can do to support the passage of this legislation. Please contact myself or Ken Loveland at any time if we can assist your efforts toward final passage of the Dakota Water Resources Act.

Respectfully yours,

RAPHAEL J. DECOTEAU.

—

SPIRIT LAKE TRIBE,

*Fort Totten, ND, November 7, 1997.*

Hon. EARL POMEROY,  
*Washington, DC.*

DEAR MR. POMEROY: The Spirit Lake Tribal Council has reviewed, and approves of the introduction of proposed Amendments to Garrison Diversion Reformation Act of 1986.

If you should need further assistance, please call my office at (701) 766-1226.

Sincerely,

MYRA PEARSON,  
*Chairman.*

NORTH DAKOTA WATER  
USERS ASSOCIATION,  
*Bismarck, ND, November 7, 1997.*

Memo to: Governor Edward Schafer, Senator Kent Conrad, Senator Byron Dorgan, Rep. Earl Pomeroy, Senator Gary Nelson, Senator Tim Mathern, Rep. John Dorso, Rep. Merle Boucher

*Re Garrison Amendments.*

We would like to thank you for your considerable effort to achieve consensus on a proposal to further the Garrison project and meet the critical water needs of North Dakota. We sense there is a unity we have not had before among state water users, state wildlife interests, Tribes, power customers and others on how we should proceed in proposing to complete Garrison Diversion water supply facilities.

We fully support the amendments that have been developed to enable the 1986 Reformulation Act to be modified and implemented. While the amendments eliminate most of the irrigation opportunities provided in the 1965 and 1986 Acts, we will vigorously support the current proposal in the spirit of compromise with the many competing interests in this project, and with the belief that the proposal will meet the critical water needs of our state, including the opportunity to utilize the existing facilities to provide Missouri River water to meet the water needs of the Red River Valley.

We look forward to working with you and the Tribes, state wildlife interests, cities, rural water systems, other water users, power customers and others to secure approval and implementation of the proposed amendments.

MIKE DWYER,  
*Executive Vice President.*

JACK OLIN,  
*President.*

—

NORTH DAKOTA WATER RESOURCES  
DISTRICTS ASSOCIATION,  
*Bismarck, ND, November 7, 1997.*

Governor EDWARD SCHAFER,  
*State Capitol, Bismarck, ND.*

Senator KENT CONRAD,  
*Washington, DC.*

Senator BYRON DORGAN,  
*Washington, DC.*

Rep. EARL POMEROY,  
*Washington, DC.*

Senator GARY NELSON,  
*Casselton, ND.*

Senator TIM MATHERN,  
*Fargo, ND.*

Rep. JOHN DORSO,  
*Fargo, ND.*

Rep. MERLE BOUCHER,  
*Rolette, ND.*

DEAR GENTLEMEN: The North Dakota Water Resource Districts Association strongly supports the proposal to amend the 1986 Reformulation Act and complete the Garrison Diversion water facilities.

The proposal you have jointly and cooperatively developed will finish a project that has languished far too long and is critical to the future well-being of our state.

Your efforts to achieve consensus are greatly appreciated. Feel free to call on us to provide necessary support and assistance.

Sincerely,

ATDEN HANER,  
*Chairman.*

STANDING ROCK SIOUX TRIBE,  
*November 7, 1997.*

Hon. EARL POMEROY,  
*Washington, DC.*

DEAR CONGRESSMAN POMEROY: The Standing Rock Sioux Tribe is in full support of the amendments to the Garrison Reformulation Act of 1986.

The Tribe especially appreciates the inclusion of the irrigation issues for the Standing Rock reservation and the \$200 million requested for water systems on the reservation.

The Tribe hereby acknowledges the efforts of all our representatives in Congress and will continue to endorse the North Dakota Congressional delegation with regards to Indian Affairs.

I was very grateful for the opportunity to represent my tribe by giving testimony on this very important piece of legislation. I look forward to a continued effort on both our parts to ensure the very best for our State and my Tribe.

Sincerely,

CHARLES W. MURPHY,  
*Chairman, Standing Rock Sioux Tribe.*